

FEDERAL REGISTER

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Washington, Friday, December 30, 1949

TITLE 3—THE PRESIDENT

PROCLAMATION 2868

COPYRIGHT EXTENSION: AUSTRALIA
BY THE PRESIDENT OF THE UNITED STATES
OF AMERICA
A PROCLAMATION

WHEREAS the President is authorized, in accordance with the conditions prescribed in section 9 of Title 17 of the United States Code, which includes the provisions of the act of Congress approved March 4, 1909, 35 Stat. 1075, as amended by the act of September 25, 1941, 55 Stat. 732, to grant an extension of time for fulfillment of the conditions and formalities prescribed by the copyright laws of the United States of America, with respect to works first produced or published outside the United States of America and subject to copyright or to renewal of copyright under the laws of the United States of America, including works subject to *ad interim* copyright, by nationals of countries which accord substantially equal treatment to citizens of the United States of America; and

WHEREAS the Governor-General of Australia has made an order, effective from this day, by the terms of which treatment substantially equal to that authorized by the aforesaid section 9 of Title 17 is accorded in Australia to literary and artistic works first produced or published in the United States of America during the period commencing on September 3, 1939, and ending one year after the termination of all the wars in which the Commonwealth of Australia is engaged at the commencement of that order; and

WHEREAS the aforesaid order is annexed to and is part of an agreement embodied in notes exchanged this day between the Government of the United States of America and the Government of Australia; and

WHEREAS, by virtue of a proclamation by the President of the United States of America dated April 9, 1910 (36 Stat. 2685), citizens of Australia are, and since July 1, 1909, have been, entitled to the benefits of the aforementioned act of March 4, 1909, other than the benefits of section 1 (e) of that act; and

WHEREAS, by virtue of a proclamation by the President of the United States of America, dated April 3, 1918 (40 Stat. 1764), the citizens of Australia are, and since March 15, 1918, have been, entitled to the benefits of section 1 (e) of the aforementioned act of March 4, 1909:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, under and by virtue of the authority vested in me by the aforesaid Title 17, do declare and proclaim:

That with respect to (1) works of citizens of Australia which were first produced or published outside the United States of America on or after September 3, 1939, and subject to copyright under the laws of the United States of America, including works subject to *ad interim* copyright, and (2) works of citizens of Australia subject to renewal of copyright under the laws of the United States of America on or after September 3, 1939, there has existed during several years of the time since September 3, 1939, such disruption or suspension of facilities essential to compliance with the conditions and formalities prescribed with respect to such works by the copyright laws of the United States of America as to bring such works within the terms of the aforesaid Title 17, and that, accordingly, the time within which compliance with such conditions and formalities may take place is hereby extended with respect to such works for one year after the date of this proclamation.

It shall be understood that the term of copyright in any case is not and cannot be altered or affected by this proclamation, and that, as provided by the aforesaid Title 17, no liability shall attach under the said Title for lawful uses made or acts done prior to the effective date of this proclamation in connection with the above-described works, or in respect to the continuance for one year subsequent to such date of any business undertaking or enterprise lawfully entered into prior to such date involving expenditure or contractual obligation in connection with the exploitation, pro-

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duction, reproduction, circulation, or performance of any such work.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this twenty-ninth day of December in the year of our Lord nineteen hundred [SEAL] and forty-nine, and of the Independence of the United States of America the one hundred and seventy-fourth.

HARRY S. TRUMAN

By the President:

DEAN ACHESON,
Secretary of State.

[F. R. Doc. 49-10582; Filed, Dec. 29, 1949;
9:32 a. m.]

Subtitle A—Executive Office of the President

STATEMENT OF ORGANIZATION AND FUNCTIONS

EDITORIAL NOTE: The statement of organization and functions of the various units in the Executive Office of the President, which appeared at 11 F. R. 177A-1, under Title 3, Subtitle A, Parts 1 through 6, has been excluded from the Code of Federal Regulations, and future amendments will appear in the Notices section of the FEDERAL REGISTER. A revision of the statement of organization and functions of the various units of the Executive Office of the President, consonant with the Reorganization Plan No. 4 of 1949 (14 F. R. 5227) appears in the Notices section, *infra*.

(4) Service with the armed forces or service in essential non-Government civilian employment, in the public interest, during a period of war or national emergency, when otherwise creditable service was interrupted.

(5) Not to exceed 120 calendar days between discharge or termination and reemployment under mandatory provisions of any statute, regulations, or Executive order.

(f) "Equivalent increase in compensation" is the total of any increase or increases in basic compensation which is equal to or greater than the smallest step-increase in any grade in which the employee has served during a period under consideration. Step-increases resulting from the application of sections 703 and 802 (b) of the act are equivalent increases in compensation. The following, among others, are not "equivalent increases in compensation":

(1) Any increase in rates of basic compensation provided by Title VI;

(2) An additional step-increase as a reward for superior accomplishment; or an increase made pursuant to section 1002 (b);

(3) An increase made for the specific purpose of correcting an error in a previous demotion or reduction in pay;

(4) Payment of a foreign or a territorial post differential or cost-of-living allowance.

(g) "Current efficiency rating" is the current official efficiency rating under an efficiency rating system which has been approved by the Civil Service Commission.

(h) "Certificate of satisfactory service and conduct" is an affirmative statement that the services and conduct of the employee have been reviewed and that he definitely merits the step-increase. The department is responsible for this review and has the discretion to withhold this certificate for such time and for such reason as it deems proper or necessary to make a valid determination that the step-increase should be granted.

§ 25.11 Definitions. For the purpose of this subpart, definitions are given for words, terms, and phrases as follows:

(a) "Periodic step-increase" is a one-step increase within the grade based on length of service, efficiency, and service and conduct requirements.

(b) "Additional step-increase" is a one-step increase within the grade as a reward for superior accomplishment.

(c) "Permanent position" is any position compensated on a per annum basis within the scope of scheduled rates of compensation fixed by the Classification Act of 1949, except a position designated as temporary by law or with a definite time limitation.

(d) "Maximum scheduled rate" is the maximum rate of any grade under the CPC or General Schedules established under Title VI of the act, exclusive of rates established under regulations governing longevity step-increases, and increases under Title X of the act.

(e) "Waiting period" is the minimum time requirement of creditable service without an equivalent increase in compensation in order to be eligible for consideration for a periodic step-increase. The waiting period is fifty-two calendar weeks for grades with step-increases of less than \$200, and seventy-eight calendar weeks for grades with step-increases of \$200 or more. Creditable service, in the computation of waiting periods, includes:

(1) Continuous paid civilian employment in any branch (executive, legislative, or judicial) of the Federal Government, or in the municipal government of the District of Columbia, including service under a temporary appointment or compensated at a per diem or hourly rate.

(2) Leave without pay or furlough not in excess of two workweeks.

(3) Paid civilian employment prior to a non-pay period, including separation, providing such non-pay period was not in excess of fifty-two calendar weeks. Where such prior service is credited, there must be sufficient current creditable service to complete the waiting period.

(a) That his current efficiency rating is "Good" or better than "Good";

(b) That a certificate of satisfactory service and conduct is issued by the department;

(c) That the benefit of successive step-increases shall be preserved for any officer or employee whose continuous service is interrupted in the public interest by service with the armed forces or by service in essential non-Government civilian employment during a period of war or national emergency.

§ 25.13 Effective date. (a) Periodic step-increases shall be made effective at the beginning of the next pay period following the completion of the required waiting period and compliance with the other required conditions of eligibility.

RULES AND REGULATIONS

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 25—FEDERAL EMPLOYEES PAY REGULATIONS

SUBPART A—STEP-INCREASES

Subparts B and E are revoked, Subpart A is redesignated as Subpart B, and a new Subpart A is added as set out below. These amendments are effective the first day of the first pay period after October 28, 1949, the date of the enactment of the Classification Act of 1949.

PERIODIC AND ADDITIONAL STEP-INCREASES

Sec.	
25.1	Scope.
25.11	Definitions.
25.12	Conditions of eligibility for periodic step-increases.
25.13	Effective date.
25.14	Conditions of eligibility for additional step-increases.
25.15	Standards for superior accomplishment.
25.16	Approval of awards.
25.17	Reports.
25.18	Effective date.

LONGEVITY STEP-INCREASES

25.51	Scope.
25.52	Definitions.
25.53	Conditions of eligibility.
25.54	Miscellaneous provisions.

AUTHORITY: §§ 25.1 to 25.54 issued under sec. 1101, Pub. Law 429, 81st Cong., 63 Stat. 971. Interpret or apply secs. 701, 702, 703 and 704, Pub. Law 429, 81st Cong., 63 Stat. 967-969.

PERIODIC AND ADDITIONAL STEP-INCREASES

§ 25.1 Scope. This subpart applies to each civilian officer or employee in or under the departments as defined in section 201 (a) of the Classification Act of 1949, subject to the exemptions specified in sections 202, 204, and 705 of the act, who meets all of the conditions of eligibility for periodic step-increases, or all of the conditions of eligibility for additional step-increases as rewards for superior accomplishment.

RULES AND REGULATIONS

(b) Any step-increase becoming due as the result of corrective action under the provisions of Public Law 623, 80th Congress, or in accordance with the provisions of Title IX of the Classification Act of 1949, shall be made effective as of the date the officer or employee would have met all the conditions if proper action had been taken that would not have required correction.

(c) Where a step-increase is delayed beyond its proper effective date, solely through administrative error, delay, or oversight, the step-increase shall be made effective as of the date it was properly due.

§ 25.14 Conditions of eligibility for additional step-increases. Each officer and employee who is eligible for consideration for periodic step-increases may be granted an additional within-grade step-increase subject to the following conditions:

(a) It must be made within the limit of available appropriations;

(b) It must be for reasons which conform with the standards promulgated by the Commission;

(c) The basis for a cash award or additional step-increases under Title X of the Classification Act of 1949, or for a cash award under Executive Order No. 9817 cannot also be the basis for additional step-increases hereunder; and

(d) No more than one additional step-increase may be granted to any officer or employee within each waiting period.

§ 25.15 Standards for superior accomplishment. In order to serve as the basis for the award of an additional step-increase, the accomplishment of an employee must meet one of the following tests:

(a) Sustained work performance for a period of at least three months of such nature that it not only meets the requirements for the highest attainable efficiency rating but merits distinction among those who are given such rating or among those whose current work performance is sufficiently outstanding to justify such rating; or

(b) Initiation of an idea, method or device, which has been developed and adopted because it is expected to improve the public service or provide for more economical operation in the public interest; or

(c) A special act or service in the public interest, related to official employment, over and above normal position requirements, of an unusual or distinctive character, where its recognition as a basis for an additional advancement would serve as a definite incentive to others.

§ 25.16 Approval of awards—(a) Pre-audit. Prior approval of the Commission must be secured before making any additional step-increases effective under section 702 (a) of the act, unless approval of such increases is granted under authority delegated by the Commission to the department in accordance with paragraph (b) of this section.

(b) Post-audit. Authority is hereby delegated to each department to approve

additional step-increases as rewards for superior accomplishment conforming to established standards, subject only to post-audit by the Commission, provided they are in accordance with a departmental plan approved by the Commission (1) prescribing a systematic review of the work performance of employees, (2) providing a simple, orderly procedure for the selection of employees to be awarded additional advancements for superior accomplishment, (3) indicating the representatives of the head of the department authorized to approve such step-increases, (4) establishing procedures for reporting additional step-increases to the Commission, and (5) providing a method of publication of the plan to all employees. Such plans are not effective until approved by the Commission, and no approved plan may be revised or amended without the prior approval of the Commission. Subject to the foregoing, any such departmental plan may be revised or amended from time to time as circumstances may require. The Commission may suspend or withdraw delegated authority to approve additional step-increases, whenever it finds that (1) additional step-increases are being approved which do not conform with the Commission's standards, (2) provisions of the departmental plan are not being followed, or (3) such additional step-increases are not reported to the Commission as required.

§ 25.17 Reports. Additional step-increases as rewards for superior accomplishment shall be reported monthly, in duplicate, to the Commission with such supporting information as it may prescribe.

CPC-1	equivalent to	GS-1	equivalent to	SP-1
CPC-2				SP-2
CPC-3				CAF-1
CPC-4	equivalent to	GS-2	equivalent to	CAF-2, SP-3
CPC-5	equivalent to	GS-3	equivalent to	CAF-3, SP-4
CPC-6	equivalent to	GS-4	equivalent to	CAF-4, SP-5
CPC-7	equivalent to	GS-5	equivalent to	CAF-5, SP-6, P-1
CPC-8	equivalent to	GS-6	equivalent to	CAF-6, SP-7
CPC-9	equivalent to	GS-7	equivalent to	CAF-7, SP-8, P-2
CPC-10	equivalent to	GS-8	equivalent to	CAF-8
		GS-9	equivalent to	CAF-9, P-3
		GS-10	equivalent to	CAF-10

Civilian service paid under authority other than the Classification Act of 1923, as amended, or the Classification Act of 1949, shall be deemed to be equivalent to the highest grade in the foregoing table in which the basic rate for such service would have been included at the time of such service.

(d) "Longevity period" is three years, of the aggregate period, of continuous service (1) at the maximum scheduled rate of the employee's grade, or (2) at a longevity rate of the employee's grade, or (3) at a rate in excess of such maximum scheduled rate in accordance with section 604 (b) (11) of section 1105 (b) of the Classification Act of 1949, or any other provision of law. A change of grade or rate of basic compensation prescribed by any law of general application does not begin a new longevity period. A new longevity period begins when a longevity step-increase is effected, or after a non-pay period, including break

§ 25.18 Effective date. An additional step-increase as a reward for superior accomplishment may be made effective on any date within the waiting period, but may not be retroactive.

LONGEVITY STEP-INCREASES

§ 25.51 Scope. This subpart applies to all officers and employees in or under the departments as defined in section 201 (a) of the Classification Act of 1949, subject to the exemptions specified in sections 202, 204, and 705 of that act, in positions in the CPC Schedule, or not above grade 10 of the General Schedule, who meet all of the conditions of eligibility for longevity step-increases.

§ 25.52 Definitions. (a) For the purpose of this subpart, the definitions of "permanent position, current efficiency rating," and "certificate of satisfactory service and conduct" are the same as in § 25.11. Other definitions are provided as follows:

(b) "Longevity step-increase" is an additional step increase above the maximum scheduled rate of the grade of the position of the officer or employee, equal to a one-step increase of such grade.

(c) "Aggregate period" is a total of ten years in the present position, or in the present grade and equivalent or higher grades, of paid civilian service, including intervening military service which has interrupted paid civilian service, and not to exceed 120 calendar days between discharge or termination and re-employment under mandatory provisions of any statute, regulation, or Executive order. For the purpose of this definition, an equivalent or higher grade under the Classification Act of 1949 shall be determined by the following table:

SP-1
SP-2
CAF-1
CAF-2, SP-3
CAF-3, SP-4
CAF-4, SP-5
CAF-5, SP-6, P-1
CAF-6, SP-7
CAF-7, SP-8, P-2
CAF-8
CAF-9, P-3
CAF-10

in service, in excess of 30 calendar days, except where such non-pay period is incidental to military service.

§ 25.53 Conditions of eligibility. Each officer or employee in a permanent position who has completed the required aggregate period shall be granted a longevity step-increase for each longevity period completed in his grade, provided his current efficiency rating is "Good" or better than "Good"; and a certificate of satisfactory service and conduct is issued by the department. No officer or employee shall be given more than one longevity step-increase for any longevity period, or more than three successive longevity step-increases.

§ 25.54 Miscellaneous provisions. (a) Any officer or employee receiving a rate of basic compensation in excess of the maximum scheduled rate for his grade in accordance with the saving clause in section 604 (b) (11), or section 1105 (b)

of the Classification Act of 1949, or any other provision of law, shall be granted longevity step-increases only when they would have been granted under these regulations and section 703 (c) of the Classification Act of 1949, if his salary had been at the maximum scheduled rate of the grade at the time such saving clause first applied to his rate of basic compensation.

(b) Service immediately prior to the effective date of these regulations shall be counted toward one, two, or three longevity step-increases as provided above.

(c) The provisions of § 25.13 for periodic step-increases shall be followed in connection with longevity step-increases.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] HARRY B. MITCHELL,
Chairman.

[F. R. Doc. 49-10536; Filed, Dec. 29, 1949;
8:49 a. m.]

95778

PART 35—RESTORATION OF FEDERAL EMPLOYEES PURSUANT TO THE SELECTIVE SERVICE ACT OF 1948

JOB CLASSIFICATION AND IDENTITY REQUIREMENTS

Paragraph (a) of § 35.3 is amended so that the section reads as follows:

§ 35.3 Job classification and job identity requirements—(a) All positions subject to the provisions of the Classification Act of 1949 (Departmental and Field). It shall be the responsibility of the head of the agency concerned, or his designee, to determine whether the job classification sheet for the position which the employee leaves is current and actually reflects the duties performed by him. In the event the job classification sheet does not accurately reflect the duties and responsibilities of the employee entering on military duty, the agency shall rewrite the job classification sheet to conform therewith and if there is sufficient time for complying with legal and regulatory requirement, have the position allocated to its proper service, class and grade, and take official personnel action to place the employee in that position, effective not later than the date of his separation. Each employee leaving for military duty shall be given a job description showing his current duties and responsibilities and the service, class, and grade to which his position has been allocated, and a record of these actions shall be entered in the employee's Official Personnel Folder.

If the position of an employee while absent on military duty is reallocated upward an official personnel action shall be taken placing him in the position that has been reallocated, unless it is clearly shown that he is not qualified for the position. If the position is reallocated downward during his absence no personnel action shall be taken until he returns and is restored, at which time the downgrading will be processed under section 14 of the Veterans' Preference Act of 1944, as amended.

(b) All positions not subject to the provisions of the Classification Act of 1923, as amended. It shall be the responsibility of the head of the agency concerned or his designee to identify positively the position which an employee leaves by title, grade, salary, organizational location, and, if necessary, for positive identification by position description. Each employee entering on military duty shall be given a statement positively identifying the position which he is leaving. A copy of this statement shall be placed in the employee's Official Personnel Folder.

(Sec. 9 (e) (1), 62 Stat. 614; 50 U. S. C. App. 459)

NOTE: Because of the necessity of making the procedures provided for in the above amendment available for use in current personnel actions, the Commission finds that good cause exists for making the amendment effective upon publication in the FEDERAL REGISTER.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] HARRY B. MITCHELL,
Chairman.

[F. R. Doc. 49-10547; Filed, Dec. 29, 1949;
8:51 a. m.]

95779

TITLE 6—AGRICULTURAL CREDIT

Chapter IV—Production and Marketing Administration and Commodity Credit Corporation, Department of Agriculture

Subchapter B—Export and Diversion Programs
PART 507—COTTON

SUPPLEMENTAL ANNOUNCEMENT 4 TO TERMS AND CONDITIONS OF COTTON SALES FOR EXPORT PROGRAM

The Terms and Conditions of Cotton Sales for Export Program as revised June 2, 1948 (13 F. R. 2946), is hereby further amended as to all export sales of which notice is received after 3:00 p. m., e. s. t., December 27, 1949, as follows:

1. Sections 507.2 (d) and 507.4 (g) are amended by substituting the date "January 1, 1951" for the date "January 1, 1950."

2. Section 507.2 (d) is amended by substituting the date "March 31, 1951" for the date "March 31, 1950."

(Sec. 32, 49 Stat. 774, as amended; 7 U. S. C. 612c)

Dated this 23d day of December 1949.

[SEAL] RALPH S. TRIGG,
Authorized Representative of the
Secretary of Agriculture.

[F. R. Doc. 49-10557; Filed, Dec. 29, 1949;
8:50 a. m.]

95780
[Amdt. 1]

PART 518—FRUITS AND BERRIES, DRIED, AND PROCESSED

FRESH AND PROCESSED ORANGES EXPORT PROGRAM (FISCAL YEAR 1950)

1. Section 518.186 is hereby revised to read as follows:

§ 518.186 Approved countries. An approved country shall be any country, territory, or dependent area specifically named in this section.

Austria, Belgium, Denmark, France, Germany: Bizonal, Germany; French Zone, Greece, Hong Kong, Iceland, Ireland, Italy, Luxembourg, Netherlands, Norway, Philippines, Portugal, Sweden, Switzerland, Trieste, Turkey, and United Kingdom.

2. Section 518.188 (b) (1) (iii) is hereby revised to read as follows:

(iii) Canned processed orange juices shall meet the requirements for U. S. Grade A as defined in the latest respective "United States Standards," except that canned concentrated orange juice produced from Navel oranges may possess a characteristic bitter flavor: *Provided*, Such bitterness does not seriously affect the palatability of the product, *And provided, further*, That the purchase contract specifically calls for Navel concentrated orange juice. Cans shall be sound and clean, free from rust and serious dents.

(Sec. 32, 49 Stat. 774, as amended; 7 U. S. C. and Sup. 612c)

Effective date. This amendment shall become effective at 12:01 a. m., e. s. t., December 27, 1949.

Dated this 23d day of December 1949.

[SEAL] S. R. SMITH,
Authorized Representative of the
Secretary of Agriculture.

[F. R. Doc. 49-10556; Filed, Dec. 29, 1949;
8:50 a. m.]

95781-6

TITLE 7—AGRICULTURE

Chapter IV—Federal Crop Insurance Corporation, Department of Agriculture

PART 420—MULTIPLE CROP INSURANCE

SUBPART—REGULATIONS FOR THE 1950 AND SUCCEEDING CROP YEARS

The following riders are hereby published pursuant to § 420.34 of the above-identified regulations (14 F. R. 5303, 6787):

Rider No. 1 to the Multiple Crop Insurance Policy Applicable in Jasper County, Illinois.
Rider No. 1 to the Multiple Crop Insurance Policy Applicable in Franklin County, Kansas.

Rider No. 1 to the Multiple Crop Insurance Policy Applicable in Talbot County, Maryland.

Rider No. 1 to the Multiple Crop Insurance Policy Applicable in Pawnee County, Nebraska.

Rider No. 1 to the Multiple Crop Insurance Policy Applicable in Linn County, Oregon.

Rider No. 1 to the Multiple Crop Insurance Policy Applicable in Lebanon County, Pennsylvania.

Rider No. 1 to the Multiple Crop Insurance Policy Applicable in Northumberland County, Virginia.

G. F. GEISSLER,
Manager, Federal
Crop Insurance Corporation.

§ 420.61 Illinois. The riders to the multiple crop insurance policy applicable in the counties of the State of Illinois are set forth in the following sections.

RULES AND REGULATIONS

§ 420.61-1 Jasper County.**RIDER NO. 1 TO THE MULTIPLE CROP INSURANCE POLICY**

(Applicable in Jasper County, Ill.)

1. Insurable crops. For the purpose of the multiple crop insurance program the insurable crops are:

(a) Corn normally regarded as field corn which is planted for harvest as grain. The contract will not provide insurance for true type silage corn, corn planted thick for silage or fodder purposes, sweet corn, popcorn, broom corn, corn planted for the development of hybrid seed corn, or any type of corn other than that normally regarded as field corn.

(b) Oats seeded for harvest as grain.

(c) Soybeans planted for harvest as beans.
(d) Wheat seeded for harvest as grain.

2. Coverage per acre. The coverage per acre for each insured crop shall be reduced 50 percent for any acreage released by the Corporation and planted to a substitute crop.

3. Insurance period. Insurance shall attach at the time of planting to any insured acreage of any insured crop. Insurance shall cease with respect to (i) any portion of the corn crop upon harvesting (picking the corn from the stalk either by hand or machine or cutting the corn for fodder or ensilage when the crop has not been destroyed or substantially destroyed) or removal from the field and with respect to any insurance unit upon submission of a claim for indemnity; and (ii) any portion of all other insured crops upon threshing or removal from the field. However, in no event shall the insurance remain in effect on any crop later than December 10 of each year unless such time is extended in writing by the Corporation.

4. Predetermined price for valuing production. Production of each insurable crop shall be evaluated at a predetermined price per bushel which the Corporation shall establish annually for the applicable crop year. The predetermined prices for the 1950 crop year are as follows:

	Bushel
(a) Corn	\$1.25
(b) Oats	.65
(c) Soybeans	1.90
(d) Wheat	1.85

However, any production of corn, oats, soybeans and wheat which will not meet the latest available requirements for a Commodity Credit Corporation loan or support because of poor quality due to insurable causes, and would not meet these requirements if properly handled, shall be evaluated at the value per unit determined by the Corporation.

For any subsequent crop year notice of any change in the predetermined price, from the prior crop year shall be mailed by the Corporation to the insured at least 15 days before the cancellation date shown herein.

5. Released corn crop. Notwithstanding any other provision of the policy the corn crop on any insured acreage may be released by the Corporation subject to an appraisal by the Corporation of the yield that would be realized if the crop were harvested, except that such crop may be used for ensilage or fodder without a release by the Corporation if the insured leaves a number of rows considered by the Corporation to be an adequate representative sample for appraising the yield.

6. Amount of loss. (a) The amount of loss with respect to any insurance unit shall be determined by (1) multiplying the insurable acreage planted to each insured crop by the insured interest, and by the applicable coverage per acre, and (2) subtracting from the total thereof the insured interest in the value (based on the predetermined price) of the total production of all insured crops. However, the amount of loss so determined shall be reduced if the premium computed for the insurance unit on the basis of the

acreage specified on the acreage report is less than the premium computed for the planted acreage on the insurance unit. Such reduction shall be made on the basis of the ratio of the premium computed for the acreage specified on the acreage report to the premium computed for the planted acreage including any insurable crop planted on released acreage.

The total production for each insured crop on the insurance unit shall include all production determined in accordance with the production schedule below. Where any small

grains are seeded with an insured growing small grain crop on acreage not released by the Corporation, all production shall be counted as the insured small grain on a weight-equivalent basis. In the case of an uninsured volunteer crop produced with an insured crop, the production of such volunteer crop shall be included in determining the production of the insured crop.

The Corporation reserves the right to determine the amount of production on the basis of appraisal of any unharvested crop standing in the field.

PRODUCTION SCHEDULE

Crop	Acreage classification	Total production ¹
1. Each insured crop.....	Acreage released by the Corporation and planted to a substitute crop.	That portion of the appraised production for such acreage which is in excess of the number of bushels determined by (1) subtracting the total coverage for such acreage from what the total coverage for such acreage would be if it were not planted to a substitute crop, and (2) dividing the result thus obtained by the predetermined price for the crop. The appraised production or the actual production, including an appraisal of corn left in the field after harvest and an appraisal of corn used for ensilage or fodder.
2. Each insured crop.....	Acreage not planted to a substitute crop.	Appraised unharvested production.
3. Corn.....	Acreage remaining unharvested on Dec. 10, of the current crop year or at the time of submission of a statement in proof of loss, whichever date is earlier.	Appraised production for such acreage but not less than the product of (1) such acreage and (2) the bushel equivalent of the coverage per acre on the basis of the predetermined price for the crop.
4. Each insured crop.....	Acreage put to another use without the consent of the Corporation.	Appraised number of bushels, by which production for such acreage has been reduced but not less than the product of (1) such acreage and (2) the applicable bushel equivalent of the coverage per acre (determined on the basis of the predetermined price for the crop), minus the number of bushels harvested.
5. Each insured crop.....	Acreage with reduced yield due solely to cause(s) not insured against.	Appraised number of bushels by which production for such acreage has been reduced because of cause(s) not insured against.
6. Each insured crop.....	Acreage with reduced yield due partially to cause(s) not insured against and partially to cause(s) insured against.	

¹ Production shall be in bushels for corn, oats, soybeans and wheat.

(b) If the production from two or more insurance units is commingled and the insured fails to establish and maintain records satisfactory to the Corporation of acreage or the production from each, the insurance with respect to such units may be voided by the Corporation and the premium forfeited by the insured. However, if all the component parts are insured, the total coverage for the component parts may be considered as the total coverage for the combination, if the Corporation so elects, in which case any loss for such combination shall be determined as outlined in paragraph (a) of this section. Where the insured fails to establish and maintain separate records, satisfactory to the Corporation, of uninsured acreage and production therefrom, and for one or more insurance units or portions thereof, any production from such acreage which is commingled with the production from the insured acreage shall be considered to have been produced on the insured acreage, or the insurance with respect to such unit(s) under the contract may be voided by the Corporation and the premium forfeited by the insured.

7. Date table.

Discount date.....	July 15
Maturity date.....	Aug. 15
Cancellation date.....	Sept. 30
Interest date.....	Oct. 31

Approved for the 1950 and Succeeding Crop Years.

[SEAL] FEDERAL CROP INSURANCE CORPORATION.

§ 420.64 Kansas. The riders to the multiple crop insurance policy applicable in the counties of the State of Kansas are set forth in the following sections.

§ 420.64-1 Franklin County.**RIDER NO. 1 TO THE MULTIPLE CROP INSURANCE POLICY**

(Applicable in Franklin County, Kans.)

1. Insurable crops. For the purpose of the multiple insurance program the insurable crops are:

(a) Corn normally regarded as field corn which is planted for harvest as grain. The contract will not provide insurance for true type silage corn, corn planted thick for silage or fodder purposes, sweet corn, popcorn, broom corn, corn planted for the development of hybrid seed corn, or any type of corn other than that normally regarded as field corn.

(b) Flax seeded for harvest as seed.

(c) Grain sorghums planted for harvest as grain.

(d) Oats seeded for harvest as grain.

(e) Soybeans planted for harvest as beans.

(f) Wheat seeded for harvest as grain.

2. Coverage per acre. The coverage per acre for each insured crop shall be reduced 50 percent for any acreage released by the Corporation and planted to a substitute crop.

3. Insurance period. Insurance shall attach at the time of planting to any insured acreage of any insured crop. Insurance shall cease with respect to (i) any portion of the corn crop upon harvesting (picking the corn from the stalk either by hand or machine or cutting the corn for fodder or ensilage) or removal from the field and with respect to any insurance unit upon submission of a claim for indemnity and (ii) any portion of all other insured crops upon threshing or removal from the field. However, in no event shall the insurance remain in effect on any crop later than December 10 of each year unless such time is extended in writing by the Corporation.

4. Predetermined price for valuing production. Production of each insurable crop

shall be evaluated at a predetermined price per bushel or CWT which the Corporation shall establish annually for the applicable crop year. The predetermined prices for the 1950 crop year are as follows:

(a) Corn (bushel)	\$1.20
(b) Grain sorghums (cwt)	2.05
(c) Flax (bushel)	2.25
(d) Oats (bushel)	.60
(e) Soybeans (bushel)	1.90
(f) Wheat (bushel)	1.85

However, any production of corn, grain sorghums, oats, soybeans, flax and wheat which will not meet the latest available requirements for a Commodity Credit Corporation loan or support because of poor quality due to insurable causes, and would not meet these requirements if properly handled, shall be evaluated at the value per unit determined by the Corporation.

For any subsequent crop year notice of any change in the predetermined price from the prior crop year shall be mailed by the Corporation to the insured at least 15 days before the cancellation date shown herein.

5. *Released corn or grain sorghum crop.* Notwithstanding any other provision of the policy the corn or grain sorghum crop on any insured acreage may be released by the Corporation subject to an appraisal by the Corporation of the yield that would be realized if the crop were harvested, except that such crop may be used for ensilage or fodder without a release by the Corporation if the insured leaves a number of rows considered by the Corporation to be an adequate representative sample for appraising the yield.

6. *Amount of loss.* (a) The amount of loss with respect to any insurance unit shall be determined by (1) multiplying the insurable acreage planted to each insured crop by the insured interest and by the applicable coverage per acre, and (2) subtracting from the total thereof the insured interest in the value (based on the predetermined price) of the total production of all insured crops. However, the amount of loss so determined shall be reduced if the premium computed for the insurance unit on the basis of the acreage specified on the acreage report is less than the premium computed for the planted acreage on the insurance unit. Such reduction shall be made on the basis of the ratio of the premium computed for the acreage specified on the acreage report to the premium computed for the planted acreage including any insurable crop planted on released acreage.

The total production for each insured crop on the insurance unit shall include all production determined in accordance with the production schedule below. Where any small grains are seeded with an insured growing small grain crop on acreage not released by the Corporation, all production shall be counted as the insured small grain on a weight-equivalent basis. In the case of an uninsured volunteer crop produced with an insured crop, the production of such volunteer crop shall be included in determining the production of the insured crop.

The Corporation reserves the right to determine the amount of production on the basis of appraisal of any unharvested crop standing in the field.

PRODUCTION SCHEDULE

Crop	Acreage classification	Total production ¹
1. Each insured crop.....	Acreage released by the Corporation and planted to a substitute crop.	That portion of the appraised production for such acreage which is in excess of the number of bushels or pounds determined by (1) subtracting the total coverage for such acreage from what the total coverage for such acreage would be if it were not planted to a substitute crop, and (2) dividing the result thus obtained by the predetermined price for the crop.
2. Each insured crop.....	Acreage not planted to a substitute crop.	The appraised production or the actual production, including an appraisal of corn left in the field after harvest and an appraisal of corn and grain sorghums used for ensilage or fodder. Appraised unharvested production.
3. Corn.....	Acreage remaining unharvested on Dec. 10 of the current crop year or at the time of submission of a statement in proof of loss, whichever date is earlier.	Appraised production for such acreage but not less than the product of (1) such acreage and (2) the bushel or pound equivalent of the coverage per acre on the basis of the predetermined price for the crop.
4. Each insured crop.....	Acreage put to another use without the consent of the Corporation.	Appraised number of bushels or pounds by which production for such acreage has been reduced but not less than the product of (1) such acreage and (2) the applicable bushel or pound equivalent of the coverage per acre (determined on the basis of the predetermined price for the crop), minus the number of bushels or pounds harvested.
5. Each insured crop.....	Acreage with reduced yield due solely to cause(s) not insured against.	Appraised number of bushels or pounds by which production for such acreage has been reduced because of cause(s) not insured against.
6. Each insured crop.....	Acreage with reduced yield due partially to cause(s) not insured against and partially to cause(s) insured against.	Appraised number of bushels or pounds by which production for such acreage has been reduced because of cause(s) not insured against.

¹ Production shall be in bushels for wheat, corn, flax, oats, soybeans, and wheat—pounds for grain sorghums.

(b) If the production from two or more insurance units is commingled and the insured fails to establish and maintain records satisfactory to the Corporation of acreage or the production from each, the insurance with respect to such units may be voided by the Corporation and the premium forfeited by the insured. However, if all the component parts are insured, the total coverage for the component parts may be considered as the total coverage for the combination of the Corporation so elects, in which case any loss for such combination shall be determined as outlined in paragraph (a) of this section. Where the insured fails to establish and maintain separate records, satisfactory to the Corporation, of uninsured acreage and production therefrom, and for one or more

insurance units or portions thereof, any production from such acreage which is commingled with the production from the insured acreage shall be considered to have been produced on the insured acreage, or the insurance with respect to such unit(s) under the contract may be voided by the Corporation and the premium forfeited by the insured.

7. Date table.

Discount date.....	June 30
Maturity date.....	July 31
Interest date.....	Oct. 31
Cancellation date.....	Sept. 30

Approved:

[SEAL]

FEDERAL CROP INSURANCE
CORPORATION.

§ 420.68 Maryland. The riders to the multiple crop insurance policy applicable in the counties of the State of Maryland are set forth in the following sections.

§ 420.68-1 Talbot County.

RIDER NO. 1 TO THE MULTIPLE CROP INSURANCE POLICY

(Applicable in Talbot County, Md.)

1. *Insurable crops.* For the purpose of the multiple crop insurance program the insurable crops are:

(a) Barley seeded for harvest as grain.

(b) Corn normally regarded as field corn which is planted for harvest as grain. The contract will not provide insurance for true type silage corn, corn planted thick for silage or fodder purposes, popcorn, broom corn or corn planted for the development of hybrid seed corn.

(c) Oats seeded for harvest as grain.

(d) Soybeans planted for harvest as beans, excluding soybeans interplanted in the same row with corn.

(e) Sweet corn planted for commercial processing.

(f) Wheat seeded for harvest as grain.

2. *Coverage per acre.* The coverage per acre for each insured crop shall be reduced 50 percent for any acreage released by the Corporation and planted to a substitute crop.

3. *Insurance period.* Insurance shall attach at the time of planting to any insured acreage of any insured crop and shall cease with respect to (1) any portion of the field or sweet corn crop upon harvesting (picking the field or sweet corn from the stalk either by hand or machine, or cutting the corn for fodder or ensilage, when the crop has not been destroyed or substantially destroyed) or removal from the field and with respect to any insurance unit upon submission of a claim for indemnity and (ii) any portion of all other insured crops upon threshing or removal from the field. However, in no event shall the insurance remain in effect on any crop later than December 10 of each year unless such time is extended in writing by the Corporation.

4. *Predetermined price for valuing production.* Production of each insurable crop shall be evaluated at a predetermined price per bushel, pound, ton or CWT which the Corporation shall establish annually for the applicable crop year. The predetermined prices for the 1950 crop year are as follows:

(a) Barley.....	bushel.....	\$1.00
(b) Field corn.....	do.....	1.40
(c) Oats.....	do.....	.70
(d) Soybeans.....	do.....	1.90
(e) Sweet corn.....	ton.....	17.00
(f) Wheat.....	bushel.....	1.95

However, any production of wheat, field corn, barley, soybeans and oats which will not meet the latest available requirements for a Commodity Credit Corporation loan or support because of poor quality due to insurable causes, and would not meet these loan requirements if properly handled, shall be evaluated at the value per unit determined by the Corporation.

For any subsequent crop year notice of any change in the predetermined price from the prior crop year shall be mailed by the Corporation to the insured at least 15 days before the cancellation date shown herein.

5. *Released field corn crop.* Notwithstanding any other provision of the policy the field corn crop on any insured acreage may be released by the Corporation subject to an appraisal by the Corporation of the yield that would be realized if the crop were harvested, except that such crop may be used for en-

RULES AND REGULATIONS

silage or fodder without a release by the Corporation if the insured leaves a number of rows considered by the Corporation to be an adequate representative sample for appraising the yield.

6. Amount of loss. (a) The amount of loss with respect to any insurance unit shall be determined by (1) multiplying the insurable acreage planted to each insured crop by the insured interest and by the applicable coverage per acre, and (2) subtracting from the total thereof the insured interest in the value (based on the predetermined price) of the total production of all insured crops. However, the amount of loss so determined shall be reduced if the premium computed for the insurance unit on the basis of the acreage specified on the acreage report is less than the premium computed for the planted acreage on the insurance unit. Such reduction

shall be made on the basis of the ratio of the premium computed for the acreage specified on the acreage report to the premium computed for the planted acreage.

The total production for each insured crop on the insurance unit shall include all production determined in accordance with the production schedule below. Where any small grains are seeded with an insured growing small grain crop on acreage not released by the Corporation, all production shall be counted as the insured small grain on a weight-equivalent basis. In the case of an uninsured volunteer crop produced with an insured crop, the production of such volunteer crop shall be included in determining the production of the insured crop.

The Corporation reserves the right to determine the amount of production on the basis of appraisal of any unharvested crop standing in the field.

PRODUCTION SCHEDULE

Crop	Acreage classification	Total production ¹
1. Each insured crop.....	Acreage released by the Corporation and planted to a substitute crop.	That portion of the appraised production for such acreage which is in excess of the number of bushels or tons determined by (1) subtracting the total coverage for such acreage from what the total coverage for such acreage would be if it were not planted to a substitute crop, and (2) dividing the result thus obtained by the predetermined price for the crop.
2. Each insured crop.....	Acreage not planted to a substitute crop.	The appraised production or the actual production, including an appraisal of field and sweet corn left in the field after harvest and an appraisal of field and sweet corn used for ensilage or fodder.
3. Field corn.....	Acreage remaining unharvested on Dec. 10, of the current crop year or at the time of submission of a statement in proof of loss, whichever date is earlier.	Appraised unharvested production.
4. Each insured crop.....	Acreage put to another use without the consent of the Corporation.	Appraised production for such acreage but not less than the product of (1) such acreage and (2) the bushel or ton equivalent of the coverage per acre on the basis of the predetermined price for the crop.
5. Each insured crop.....	Acreage with reduced yield due solely to cause(s) not insured against.	Appraised number of bushels or tons by which production for such acreage has been reduced but not less than the product of (1) such acreage and (2) the applicable bushel or ton equivalent of the coverage per acre (determined on the basis of the predetermined price for the crop), minus the number of bushels or tons harvested.
6. Each insured crop.....	Acreage with reduced yield due partially to cause(s) not insured against and partially to cause(s) insured against.	Appraised number of bushels or tons by which production for such acreage has been reduced because of cause(s) not insured against.

¹ Production shall be in bushels for wheat, barley, field corn, oats and soybeans—tons for sweet corn.

(b) If the production from two or more insurance units is commingled and the insured fails to establish and maintain records satisfactory to the Corporation of acreage or the production from each, the insurance with respect to such units may be voided by the Corporation and the premium forfeited by the insured. However, if all the component parts are insured, the total coverage for the component parts may be considered as the total coverage for the combination, if the Corporation so elects, in which case any loss for such combination shall be determined as outlined in paragraph (a) of this section. Where the insured fails to establish and maintain separate records, satisfactory to the Corporation, of uninsured acreage and production therefrom, and for one or more insurance units or portions thereof, any production from such acreage which is commingled with the production from the insured acreage shall be considered to have been produced on the insured acreage, or the insurance with respect to such unit(s) under the contract may be voided by the Corporation and the premium forfeited by the insured.

7. Date table.

Discount date.....	June 30
Maturity date.....	July 31
Interest date.....	Oct. 31
Cancellation date.....	Sept. 30

Approved:

[SEAL]

FEDERAL CROP INSURANCE
CORPORATION.

insurance shall attach on November 1 of each year provided there is a stand (sufficient that farmers generally in the area would leave it for harvest as hay the following calendar year) of such crop(s) at that time. Insurance shall cease with respect to (i) any portion of the alfalfa and mixtures of brome and alfalfa upon baling, stacking or removal from the field; (ii) any portion of the corn crop upon harvesting (picking the corn from the stalk either by hand or machine or cutting the corn for fodder or ensilage) or removal from the field and with respect to any insurance unit upon submission of a claim for indemnity; and (iii) any portion of all other insured crops upon threshing or removal from the field. However, in no event shall the insurance remain in effect on any crop later than December 10 of each year unless such time is extended in writing by the Corporation.

4. Predetermined price for valuing production. Production of each insurable crop shall be evaluated at a predetermined price per bushel, ton, or cwt. which the Corporation shall establish annually for the applicable crop year. The predetermined prices for the 1950 crop year as are follows:

(a) Alfalfa and mixtures of brome and alfalfa.....	bushel.....	\$12.00
(b) Corn	bushel.....	1.20
(c) Grain sorghums	cwt.....	2.00
(d) Oats	bushel.....	.60
(e) Wheat, both winter and spring	bushel.....	1.85

However, any production of wheat, corn, oats, and grain sorghum which will not meet the latest available requirements for a Commodity Credit Corporation loan or support because of poor quality due to insurable causes, and would not meet these requirements if properly handled, shall be evaluated at the value per unit determined by the Corporation.

For any subsequent crop year notice of any change in the predetermined price from the prior crop year shall be mailed by the Corporation to the insured at least 15 days before the cancellation date shown herein.

5. Released corn or grain sorghum crop. Notwithstanding any other provision of the policy the corn or grain sorghum crop on any insured acreage may be released by the Corporation subject to an appraisal by the Corporation of the yield that would be realized if the crop were harvested, except that such crop may be used for ensilage or fodder without a release by the Corporation if the insured leaves a number of rows considered by the Corporation to be an adequate representative sample for appraising the yield.

6. Amount of loss. (a) The amount of loss with respect to any insurance unit shall be determined by (1) multiplying the insurable acreage planted to each insured crop by the insured interest and by the applicable coverage per acre, and (2) subtracting from the total thereof the insured interest in the value (based on the predetermined price) of the total production of all insured crops. However, the amount of loss so determined shall be reduced if the premium computed for the insurance unit on the basis of the acreage specified on the acreage report is less than the premium computed for the planted acreage on the insurance unit. Such reduction shall be made on the basis of the ratio of the premium computed for the acreage specified on the acreage report to the premium computed for the planted acreage including any insurable crop planted on released acreage.

The total production for each insured crop on the insurance unit shall include all production determined in accordance with the production schedule below. Where any small grains are seeded with an insured growing small grain crop on acreage not released by the Corporation, all production shall be counted as the insured small grain on a weight-equivalent basis. In the case of an

§ 420.75 Nebraska. The riders to the multiple crop insurance policy applicable in the counties of the State of Nebraska are set forth in the following sections.

§ 420.75-1 Pawnee County.

RIDER NO. 1 TO THE MULTIPLE CROP INSURANCE POLICY

(Applicable in Pawnee County, Nebr.)

1. Insurable crops. For the purpose of the multiple crop insurance program the insurable crops are:

(a) Alfalfa and mixtures of brome and alfalfa.

(b) Corn normally regarded as field corn which is planted for harvest as grain. The contract will not provide insurance for true type silage corn, corn planted thick for silage or fodder purposes, sweet corn, popcorn, broom corn, corn planted for the development of hybrid seed corn, or any type of corn other than that normally regarded as field corn.

(c) Grain sorghums planted for harvest as grain.

(d) Oats seeded for harvest as grain.

(e) Wheat seeded for harvest as grain.

2. Coverage per acre. The coverage per acre for each insured crop shall be reduced 50 percent for any acreage released by the Corporation and planted to a substitute crop.

3. Insurance period. Insurance shall attach at the time of planting to any insured acreage of any insured crop except alfalfa and mixtures of brome and alfalfa on which

uninsured volunteer crop produced with an insured crop, the production of such volunteer crop shall be included in determining the production of the insured crop.

The Corporation reserves the right to determine the amount of production on the basis of appraisal of any unharvested crop standing in the field.

PRODUCTION SCHEDULE

Crop	Acreage classification	Total production ¹
1. Each insured crop.....	Acreage released by the Corporation and planted to a substitute crop.	That portion of the appraised production for such acreage which is in excess of the number of bushels, pounds or tons determined by (1) subtracting the total coverage for such acreage from what the total coverage for such acreage would be if it were not planted to a substitute crop, and (2) dividing the result thus obtained by the predetermined price for the crop.
2. Each insured crop.....	Acreage not planted to a substitute crop.	The appraised production or the actual production, including an appraisal of corn in the field after harvest and an appraisal of corn and grain sorghums used for ensilage or fodder.
3. Corn.....	Acreage remaining unharvested on Dec. 10 of the current crop year or at the time of submission of a statement in proof of loss, whichever date is earlier.	Appraised unharvested production.
4. Each insured crop.....	Acreage put to another use without the consent of the Corporation.	Appraised production for such acreage but not less than the product of (1) such acreage and (2) the bushel, pound or ton equivalent of the coverage per acre on the basis of the predetermined price for the crop.
5. Each insured crop.....	Acreage with reduced yield due solely to cause(s) not insured against.	Appraised number of bushels, pounds or tons by which production for such acreage has been reduced but not less than the product of (1) such acreage and (2) the applicable bushel, pound, or ton equivalent of the coverage per acre (determined on the basis of the predetermined price for the crop), minus the number of bushels, pounds or tons harvested.
6. Each insured crop.....	Acreage with reduced yield due partially to cause(s) not insured against and partially to cause(s) insured against.	Appraised number of bushels, pounds or tons by which production for such acreage has been reduced because of cause(s) not insured against.

¹ Production shall be in bushels for wheat, corn and oats—pounds for grain sorghums—tons for alfalfa and mixtures of brome and alfalfa.

(b) If the production from two or more insurance units is commingled and the insured fails to establish and maintain records satisfactory to the Corporation of acreage or the production from each, the insurance with respect to such units may be voided by the Corporation and the premium forfeited by the insured. However, if all the component parts are insured, the total coverage for the component parts may be considered as the total coverage for the combination, if the Corporation so elects, in which case any loss for such combination shall be determined as outlined in paragraph (a) of this section. Where the insured fails to establish and maintain separate records, satisfactory to the Corporation, of uninsured acreage and production therefrom, and for one or more insurance units or portions thereof, any production from such acreage which is commingled with the production from the insured acreage shall be considered to have been produced on the insured acreage, or the insurance with respect to such unit(s) under the contract may be voided by the Corporation and the premium forfeited by the insured.

7. Date table.

Discount date.....	June 30
Maturity date.....	July 31
Interest date.....	Oct. 31
Cancellation date.....	Sept. 30

8. Definitions. Notwithstanding the provisions of section 24 (d) "crop year" with respect to alfalfa and mixtures of brome and alfalfa means each 12-month period beginning with the first day of the insurance period and shall be designated by reference to the calendar year in which the crop is normally harvested.

For all purposes under the contract alfalfa and mixtures of brome and alfalfa for harvest within the crop year shall be considered to have been planted as of the beginning of the insurance period for that crop year.

Approved:

[SEAL] FEDERAL CROP INSURANCE CORPORATION.

§ 420.85 Oregon. The riders to the multiple crop insurance policy applicable in the counties of the State of Oregon are set forth in the following sections.

ture of wheat or barley and oats shall be considered as oats, and (3) a mixture of common rye grass and vetch or a mixture of common rye grass, vetch and a cereal grain shall be considered as common rye grass.

4. Insurance period. Insurance shall attach at the time of planting to any insured acreage of any insured crop, except that for common rye grass initially planted in the spring insurance shall attach on November 1 following the planting provided there is a stand (sufficient that farmers generally in the area would leave it for harvest as seed the following calendar year) of such crop at that time. Insurance shall cease with respect to any portion of the insured crops upon threshing or removal from the field. However, in no event shall the insurance remain in effect on any crop later than December 10 of each year unless such time is extended in writing by the Corporation.

5. Predetermined price for valuing production. Production of each insurable crop shall be evaluated at a predetermined price per bushel or pound, which the Corporation shall establish annually for the applicable crop year. The predetermined prices for the 1950 crop year are as follows:

(a) Austrian winter peas.....	pound.....	\$0.041
(b) Barley.....	bushel.....	1.10
(c) Oats.....	do.....	.65
(d) Common rye grass.....	pound.....	.054
(e) Vetch.....	do.....	.059
(f) Wheat.....	bushel.....	1.75

However, any production of Austrian winter peas, barley, oats, common rye grass, vetch and wheat which will not meet the latest available requirements for a Commodity Credit Corporation loan or support because of poor quality due to insurable causes, and would not meet these requirements if properly handled, shall be evaluated at the value per unit determined by the Corporation.

For any subsequent crop year notice of any change in the predetermined price from the prior crop year shall be mailed by the Corporation to the insured at least 15 days before the cancellation date shown herein.

6. Amount of loss. (a) The amount of loss with respect to any insurance unit shall be determined by (1) multiplying the insurable acreage planted to each insured crop by the insured interest, and the applicable coverage per acre, and (2) subtracting from the total thereof the insured interest in the value (based on the predetermined price) of the total production of all insured crops. However, the amount of loss so determined shall be reduced if the premium computed for the insurance unit on the basis of the acreage specified on the acreage report is less than the premium computed for the planted acreage on the insurance unit. Such reduction shall be made on the basis of the ratio of the premium computed for the acreage specified on the acreage report to the premium computed for the planted acreage.

The total production for each insured crop on the insurance unit shall include all production determined in accordance with the production schedule below. In determining production on acreage where a mixture of wheat or barley and oats is insured, all production shall be counted as oats on a weight-equivalent basis. In determining production on acreage where any other mixture is insured, the production of each commodity shall be determined and handled separately. Where any small grain is planted with an insured growing small grain crop on acreage not released by the Corporation, all production shall be counted as the insured small grain on a weight-equivalent basis. In the case of a volunteer crop produced with an insured crop, the production of such volunteer crop shall be included in determining the production of the insured crop.

The Corporation reserves the right to determine the amount of production on the basis of appraisal of any unharvested crop standing in the field.

RULES AND REGULATIONS

(d) Potatoes (not less than one acre) com-

monly known as Irish potatoes.

(e) Tobacco, type 41.

(f) Wheat seeded for harvest as grain.

2. Coverage per acre. The coverage per acre for each insured crop shall be reduced by 50 percent for any acreage released by the Corporation and planted to a substitute crop.

3. Insurance period. Insurance shall attach at the time of planting to any insured acreage of any insured crop. Insurance shall cease with respect to (1) any portion of the tobacco crop upon weighing in at the tobacco warehouse, transfer of interest in the tobacco after harvest, removal of the tobacco from the insurance unit (except for curing, packing or immediate delivery to the tobacco warehouse), or weighing of the tobacco for casing; (ii) any portion of the corn crop upon harvesting (picking the corn from the stalk either by hand or machine, or cutting the corn for fodder or ensilage, when the crop has not been destroyed or substantially destroyed) or removal from the field, and with respect to any insurance unit upon submission of a claim for indemnity; and (iii) any portion of all other insured crops upon threshing (digging for potatoes) or removal from the field. However, in no event shall the insurance remain in effect on any crop later than December 10 of each year (March 31 following harvest for tobacco) unless such time is extended in writing by the Corporation.

4. Predetermined price for growing production. Production of each insured crop shall be evaluated at a predetermined price per bushel, pound, or CWT which the Corporation shall establish annually for the applicable crop year. The predetermined prices for the 1950 crop year are as follows:

(a) Barley bushel \$1.10
..... do 1.40
..... cwt. 1.60
(b) Corn bushel 1.90(c) Oats bushel 1.90
(d) Potatoes cwt. (f)
(e) Tobacco (f)
(f) Wheat bushel 1.90

5. Fair market value as determined by the Corporation.

However, any production of wheat, barley, corn, oats and potatoes which will not meet the latest available requirements for a Commodity Credit Corporation loan or support because of poor quality due to insurable

(Applicable in Lebanon County, Pa.)

1. Insurable crops. For the purpose of the multiple crop insurance program the insurable crops are:

(a) Barley seeded in the fall for harvest as

grain.

(b) Corn normally regarded as field corn

which is planted for harvest as grain. The contract will not provide insurance for true type silage corn, corn planted thick for silage or fodder purposes, sweet corn, popcorn, broom corn, corn planted for the development of hybrid seed corn, or any type of corn other than that normally regarded as field corn.

(c) Oats seeded in the spring for harvest as grain.

PRODUCTION SCHEDULE

Crop	Acreage classification	Total production ¹
1. Each insured crop.....	Acreage released by the Corporation and planted to a substitute crop.	That portion of the appraised production for such acreage which is in excess of the number of bushels, or pounds determined by (1) subtracting the total coverage for such acreage from what were planted to a substitute crop, and (2) dividing the result thus obtained by the predetermined price for the crop.
2. Each insured crop.....	Acreage not planted to a substitute crop.	The appraised production or the actual production.
3. Each insured crop.....	Acreage put to another use without the consent of the Corporation.	Appraised production for such acreage but not less than the product of (1) such acreage and (2) the bushel, or pound equivalent of the coverage per acre on the basis of the predetermined price for the crop.
4. Each insured crop.....	Acreage with reduced yield due solely to cause(s) not insured against.	Appraised number of bushels or pounds by which production for such acreage has been reduced but not less than the product of (1) such acreage and (2) the applicable bushels or pounds per equivalent of the coverage per acre (determined on the basis of the predetermined price for the crop), minus the number of bushels or pounds harvested.
5. Each insured crop.....	Acreage with reduced yield due partially to cause(s) not insured against, and partially to cause(s) insured against.	Appraised number of bushels or pounds of which production for such acreage has been reduced because of cause(s) not insured against.

¹ Production shall be in bushels for barley, oats and wheat—pounds for Austrian winter peas, common rye grass and which.

(b) If the production from two or more insurance units is commingled and the insured fails to establish and maintain records satisfactory to the Corporation of acreage or the production from each, the insurance with respect to such units may be voided by the Corporation and the premium forfeited by the insured. However, if all the component parts are insured, the total coverage for the component parts may be considered as the total coverage for the combination, if the Corporation so elects, in which case any loss for such combination shall be determined as outlined in paragraph (a) of this section. Where the insured fails to establish and maintain separate records, satisfactory to the Corporation, of uninsured acreage and production therefrom, and for one or more insurance units or portions thereof, any production from such acreage which is commingled with the production from the insured acreages shall be considered to have been produced on the insured acreage, or the insurance with respect to such unit(s) under the contract may be voided by the Corporation and the premium forfeited by the insured.

7. Date table.

Discount date Maturity date Interest date Cancellation date

June 30 July 31 Oct. 31 Sept. 30

Interest date Cancellation date

July 31 Oct. 31 Sept. 30

Cancellation date

June 30 July 31 Oct. 31 Sept. 30

Cancellation date

tomatoes) or removal from the field. However, in no event shall the insurance remain in effect on any crop later than December 10 of each year unless such time is extended in writing by the Corporation.

Acreage not planted to a substitute crop.	The appraised production or the actual production, including an appraisal of corn left in the field after harvest and an appraisal of corn used for ensilage or fodder.
Appraised unharvested production.	
Acreage remaining unharvested on Dec. 10, of the current crop year or at the time of submission of a statement in proof of loss, whichever date is earlier.	Appraised production for such acreage but not less than the product of (1) such acreage and (2) the bushel or pound equivalent of the coverage per acre on the basis of the predetermined price for the crop.
Acreage put to another use without the consent of the Corporation.	Appraised number of bushels or pounds by which production for such acreage has been reduced but not less than the product of (1) such acreage and (2) the applicable bushel or pound equivalent of the coverage per acre (determined on the basis of the predetermined price for the crop), minus the number of bushels or pounds harvested.
Corn.	Appraised number of bushels or pounds by which production for such acreage has been reduced because of cause(s) not insured against.
Each insured crop.	Acreage with reduced yield due solely to cause(s) not insured against.
Each insured crop.	Acreage with reduced yield due partially to cause(s) not insured against and partially to cause(s) insured against.

<p>(1) Production shall be in bushels for wheat, barley, corn, and oats—pounds for tobacco, and portmanteaus.</p> <p>(b) If the production from two or more insurance units is commingled and the insured fails to establish and maintain records satisfactory to the Corporation of insurance or the production from each, the premium may be forfeited by the Corporation and the premium shall be determined as outlined in paragraph (a) of this section. Where the insured fails to establish and maintain separate records, satisfactory to the Corporation, of uninsured acreage and production therefrom, and for one or more insurance units or portions thereof, any production from such acreage which is commingled with the production from the insured acreage shall be considered to have been produced on the insured acreage, or the insurance with respect to such unit(s) under the contract may be voided by the Corporation and the premium forfeited by the insured.</p>	<p>June 30 July 31 Oct. 31</p>
<p>7. Date table.</p>	<p>Discount date----- Maturity date----- Interest date-----</p>
<p>(b) If the production from two or more insurance units is commingled and the insured fails to establish and maintain records satisfactory to the Corporation of insurance or the production from each, the premium may be forfeited by the Corporation and the premium shall be determined as outlined in paragraph (a) of this section. Where the insured fails to establish and maintain separate records, satisfactory to the Corporation, of uninsured acreage and production therefrom, and for one or more insurance units or portions thereof, any production from such acreage which is commingled with the production from the insured acreage shall be considered to have been produced on the insured acreage, or the insurance with respect to such unit(s) under the contract may be voided by the Corporation and the premium forfeited by the insured.</p>	<p>June 30 July 31 Oct. 31</p>
<p>(b) If the production from two or more insurance units is commingled and the insured fails to establish and maintain records satisfactory to the Corporation of insurance or the production from each, the premium may be forfeited by the Corporation and the premium shall be determined as outlined in paragraph (a) of this section. Where the insured fails to establish and maintain separate records, satisfactory to the Corporation, of uninsured acreage and production therefrom, and for one or more insurance units or portions thereof, any production from such acreage which is commingled with the production from the insured acreage shall be considered to have been produced on the insured acreage, or the insurance with respect to such unit(s) under the contract may be voided by the Corporation and the premium forfeited by the insured.</p>	<p>June 30 July 31 Oct. 31</p>

Sept. 30
Cancellation date
Approved:
[SEAL] **FEDERAL CROP INSURANCE CORPORATION.**
tach at the time of planting to any insured acreage or any insured crop. Insurance shall cease with respect to (i) any portion of the corn crop upon harvesting (picking the corn from the stalk by hand or machine or cutting the corn for fodder or ensilage), or removal from the field and with respect to any insurance unit upon submission of a claim for indemnity, and (ii) any portion of all other insured crops upon threshing (picking for

representative sample for appraising the yield

6. Amount of loss. (a) The amount of loss with respect to any insurance unit shall be determined by (1) multiplying the insurable acreage planted to each insured crop by the insured interest and by the applicable coverage per acre, and (2) subtracting from the total thereof the insured interest in the value (based on the predetermined price) of the total production of all insured crops.

However, the amount of loss so determined shall be reduced if the premium computed for the insurance unit on the basis of the acreage specified on the acreage report is less than the premium computed for the planted acreage on the insurance unit. Such reduction shall be made on the basis of the ratio of the premium computed for the acreage specified on the acreage report to the premium computed for the planted acreage including any insurable crop planted on released acreage.

The total production for each insured crop on the insurance unit shall include all production determined in accordance with the production schedule below. Where any small grains are seeded with an insured growing small grain crop on acreage not leased by the Corporation, all production shall be counted as the insured small grain on a weight-equivalent basis. In the case of an uninsured volunteer crop produced with an insured crop, the production of such volunteer crop shall be included in determining the production of the insured crop.

The Corporation reserves the right to determine the amount of production on the basis of appraisal of any unharvested crop standing in the field.

Total production ^a	That portion of the appraised production for such acreage which is in excess of the number of bushels or tons determined by (1) subtracting the total coverage for such acreage from what the total coverage for such acreage would be if it were not released, and planted to a substitute crop, and (2) dividing the result thus obtained by the predetermined price for the crop.
SCHEDULE	The appraised production or the actual production, including an appraisal of corn and tamatoes left in the field after harvest and an appraisal of corn used for ensilage or fodder. A appraised unharvested production.

Appraised production for such acreage but not less than the product of (1) such acreage and (2) the bushel or ton equivalent of the coverage per acre on the basis of the predeterm. price for the crop. A appraised number of bushels or tons by which production for such acreage has been reduced but not less than the product of (1) such acreage and (2) the applicable bushel or ton equivalent of the coverage per acre (determined, on the basis of the predetermined price for the crop), minus the number of bushels or tons harvested, and soybeans and tons for tomatoes.

Production Schedule—Continued

7834

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

Subchapter A—Civil Air Regulations

[Supp. 3, Amdt. 2]

PART 60—AIR TRAFFIC RULES

STANDARD INSTRUMENT APPROACH PROCEDURES

¹ Production shall be in bushels for wheat, corn, and soybeans and tons for tomatoes.

(b) If the production from two or more insurance units is commingled and the insured fails to establish and maintain records satisfactory to the Corporation of acreage or the production from each, the insurance with respect to such units may be voided by the Corporation and the premium forfeited by the insured.

7. Date table.

Discount date July 15
Maturity date Aug. 15
Interest date Oct. 31
Cancellation date Sept. 30

8. Definitions. Notwithstanding the definition of "substitute crop" as contained in Section 24 of the policy, any crop planted on wheat acreage after harvest of wheat becomes general in the county shall not be considered a substitute crop.

Approved:
[SEAL]
FEDERAL CROP INSURANCE CORPORATION.
[F. R. Doc. 49-10835; Filed, Dec. 29, 1949;
8:48 a. m.]

RULES AND REGULATIONS

§§ 42.55 (b), 42.56, and 60.46 of the Civil Air Regulations, the Civil Aeronautics Board has authorized the Administrator of Civil Aeronautics to prescribe standard instrument approach procedures, including ceiling and visibility minimums.

Acting pursuant to the foregoing statutes and regulations, standard instrument approach procedures were prescribed. Those procedures are hereby amended. This amendment is made effective without delay, in order to promote safety of the flying public. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to the public interest, and therefore is not required.

Section 60.46-4 Low Frequency range procedures (CAA rules which apply to § 60.46) is amended by adding the following procedures where procedures have not been established, and by substituting the following procedures where procedures have been established:

Station; frequency; identification; class	Minimum initial approach altitude from the direction radio fix indicated	Final approach altitude and range course	Shuttle	Procedure turn minimum at distances from radio range station	Station to airport	Field elevation	Ceiling and visibility minimums					
							Min. altitude over final approach	Magnetic bearing (mils)	Ceiling (ft.)	Day	Night	
ABILENE, TEX. A. Silene Municipal Airport No. 2 370 kc. ABK; SBRAZ-DTV	N N-2,000' (SW ers Sott) E-2,000' (Phantom Hill FFM) S-2,000' (Fort Worth Range) W-4,000' (Big Spring Range)	None	10 mi.—1,600' E side S crs 15 mi.—1,600' E side S crs 20 mi.—1,600' E side S crs 25 mi.—1,600' E side S crs	1,000' 1,000' 1,000' 1,000'	351	1.4	335' 335' 335' 335'	R S A T	500 500 800 300	1.5 1.5 2.0 1.0	500 500 800 300	2.0 2.0 1.0 1.0
ADVANCE, MO. CAA Int. Field 317 kc. AVN; SBRAZ-DTV	N-2,000' (SW ers Sott) E-2,000' (Memphis Range) W-Min. en route altitude	None	10 mi.—5,700' W side N ers 15 mi.—5,700' W side N ers 20 mi.—5,700' W side N ers 25 mi.—5,700' W side N ers	3,200' 3,200' 3,200' 3,200'	154	3.6	4,585' 4,585' 4,585' 4,585'	R S A T	500 500 800 300	1.5 1.5 2.0 1.0	500 500 800 300	1.5 1.5 2.0 1.0
AKRON, COLO. CAA Int. Field 338 kc. AKO; SBRAZ-DTV	N-6,000' (E ers Cheyenne) E-5,600' (E ers Center Range) S-6,000' (E ers Thurman VAR) W-4,000' (Denver Range)	None	10 mi.—3,600' W side N ers 15 mi.—3,600' W side N ers 20 mi.—3,600' W side N ers 25 mi.—3,600' W side N ers	3,100' 3,100' 3,100' 3,100'	203	1.3	1,425' 1,425' 1,425' 1,425'	R S A T	1,000 1,000 800 300	2.0 NA 1.5 1.0	1,000 NA 1,500 1,000	2.0 NA 1.5 1.0
ALTOONA, PA. Bair Co. Airport 338 kc. AOO; SBRAZ-DTV	N-4,300' (S ers Phillipsburg) E-4,000' (S ers Pittsburgh) W-4,500' (NE ers Pittsburgh)	None	10 mi.—4,000' S side W ers 15 mi.—4,000' S side W ers 20 mi.—4,000' S side W ers 25 mi.—4,000' S side W ers	3,200' 3,200' 3,200' 3,200'	70	3.9	2,595' 2,595' 2,595' 2,595'	R S A T	600 500 800 300	1.5 1.0 2.0 1.0	600 500 800 300	2.0 2.0 1.0 1.0
BIG SPRINGS, TEX. Big Spring Airport 326 kc. BGS; SBRAZ-DTV	E-4,000' (Abilene Range) W-4,000' (SW ers San Angelo) W-4,000' (NW ers Midland) W-3,200' (Stanion FM) (Partial) NW-4,500' (S ers Lubbock)	None	10 mi.—4,000' S side W ers 15 mi.—4,000' S side W ers 20 mi.—4,000' S side W ers 25 mi.—4,000' S side W ers	3,200' 3,200' 3,200' 3,200'	70	3.9	2,595' 2,595' 2,595' 2,595'	R S A T	600 500 800 300	1.5 1.0 2.0 1.0	600 500 800 300	2.0 2.0 1.0 1.0

LOW FREQUENCY RANGE PROCEDURE—Continued.

Station; frequency; identification; class	Minimum initial approach altitude from the direction and radio fix indicated	Shuttle	Final approximate range course	Procedure turn minimum at distances from radio range station	Station to airport	Field elevation	Ceiling and visibility minimums			
							Min. altitude over range	Final approach final approximation	Magnetic bearing	Night
BOISE, IDAHO Boise Air Terminal 350 kc; BOI; S BRAZ-DTV	NE.—Min. en route alt. SE.—9,000' (W ers Burley) SW.—7,700' (Mountain Home FM) SW.—Min. en route alt. NW.—9,000' (Baker Range) NW.—5,500' (Payette FM) NW.—3,800' (Idaho FM) (Final)	None	NW	10 mi.—4,000' W side NW ers 15 mi.—5,000' W side NW ers 20 mi.—5,000' W side NW ers 25 mi.—5,000' W side NW ers	3,500'	110	2.3	2,858'	R S A T	600 1.5 700 1.5 700 1.5 600 1.5 800 2.0 800 2.0 300 1.0 300 1.0 300 1.0
CHARLESTON, S. C. Charleston Airport 329 kc; CHS; S BRAZ-DTV	N.—1,200' (Florence Range) E.—Min. en route alt. SW.—1,300' (Savannah Range) W.—1,500' (Augusta Range) W.—600' (Summerville FM) (final).	None	W	10 mi.—1,200' S side W ers 15 mi.—1,200' S side W ers 20 mi.—1,500' S side W ers 25 mi.—1,500' S side W ers	600'	110	2.0	45'	R S A T	500 1.5 500 1.5 500 1.5 500 1.0 800 2.0 800 2.0 300 1.0 300 1.0 300 1.0
CHARLOTTE, N. C. Charlotte Field 212 kc; CLT; S BRAZ-DTV	N.—2,500' (SW ers Greensboro) E.—Min. en route alt. SW.—1,500' (Fort Mill FM) (final)* W.—2,800' (NE ers Spartanburg)	None	S	10 mi.—2,100' W side S ers 15 mi.—2,100' W side S ers 20 mi.—2,100' W side S ers 25 mi.—2,100' W side S ers	*1,620'	359	1.7	745'	R S A T	500 1.5 500 1.5 500 1.5 500 1.0 800 2.0 800 2.0 300 1.0 300 1.0 300 1.0
COCHISE, ARIZ. CAA Int. Field 272 kc; CIE; MRAWZ	E.—12,000' (Rodeo Range) E.—10,000' (Hilltop FM) SE.—10,000' (SW ers Rodeo) N.—13,000' (NE ers Tucson)	To 7,000' on SE ers with- in 20 mi.	SE	10 mi.—6,000' E side SE ers 15 mi.—7,000' E side SE ers 20 mi.—7,000' E side SE ers 25 mi.—9,000' E side SE ers	5,000'	253	2.2	4,317'	R S A T	700 2.0 NA 2.0 700 2.0 NA 1,000 (BCOB) 2.0 1,000 (BCOB) 2.0 500 2.0
COLORADO SPRINGS, COLO. Peterson Field 224 kc; COS; MRLLZ-D	N.—8,500' (Denver Range) E.—Min. en route alt. S.—8,000' (Pueblo Range)* W.—Min. en route alt.	None	N	10 mi.—8,700' E side N ers 15 mi.—8,700' E side N ers 20 mi.—8,700' E side N ers 25 mi.—8,700' E side N ers	8,200'	166	3.9	6,172'	R S A T	*800 1.5 *800 1.5 *800 1.5 *800 1.0 *800 1.0 *800 1.0
CORPUS CHRISTI, TEX. Watson NAAS 246 kc; NGP; SMRLZ	N.—2,300' (NE ers Corpus Christi) E.—Min. en route alt. S.—Min. en route alt. W.—2,500' (S ers Alice)	None	E	10 mi.—1,500' S side E ers 15 mi.—1,500' S side E ers 20 mi.—1,500' S side E ers 25 mi.—1,500' S side E ers	800'	250	1.0	25'	R S A T	----- ----- ----- -----
DOTHAN, ALA. Dothan Airport 238 kc; DHN; S BRAZ-DTV	N.E.—Min. en route alt. SE.—1,400' (E ers Crestview) SW.—1,500' (E ers El Paso) NW.—1,600' (E ers Maxwell)	None	SW	10 mi.—1,400' S side SW ers 15 mi.—1,400' S side SW ers 20 mi.—1,400' S side SW ers 25 mi.—1,400' S side SW ers	900'	47	3.7	330'	R S A T	500 1.5 500 1.5 500 1.5 500 1.0 800 2.0 800 2.0 300 1.0 300 1.0 300 1.0
ENGLE N. MEX. CIA Int. Field 244 kc; ENGI; S BRAZ-DTV	N.—10,000' (Albuquerque Range) E.—Min. en route alt. SW.—10,000' (W ers El Paso) W.—Min. en route alt.	None	N	10 mi.—8,000' E side N ers 15 mi.—8,000' E side N ers 20 mi.—8,000' E side N ers 25 mi.—8,000' E side N ers	5,800'	176	2.9	4,853'	R S A T	700 1.5 700 1.5 700 1.5 700 1.0 1,000 3.0 1,000 3.0 300 1.0 300 1.0 300 1.0
FAIRFIELD-SUISUN Fairfield, Calif. Fairfield-Suisun AFB 248 kc; SUU; S BRAZ	N.E.—2,500' (NW ers Sacramento) SW.—5,000' (W ers Stockton) NW.—4,000' (Williams Range)	None	NE	10 mi.—2,500' N side NE ers 15 mi.—2,500' N side NE ers 20 mi.—2,500' N side NE ers 25 mi.—2,500' N side NE ers	1,000'	210	4.5	68'	R S A T	500 1.5 500 1.5 500 1.5 NA 1,000 2.0 1,000 2.0 300 2.0 300 2.0 300 2.0
FORT MYERS, FLA. Page Field 341 kc; FMY; S BRAZ-DTV	NE.—Min. en route alt. SW.—1,200' (W ers Miami) NW.—Min. en route alt.	None	SW	10 mi.—1,200' S side SW ers 15 mi.—1,200' S side SW ers 20 mi.—1,200' S side SW ers 25 mi.—1,200' S side SW ers	700'	38	3.7	17'	R S A T	500 1.5 500 1.0 500 1.0 500 1.0 800 2.0 800 2.0 300 1.0 300 1.0 300 1.0
GILA BEND, ARIZ. Gila Bend A.F. Auxiliary 257 kc; GBN; SEMRAZ-DTC	N.—5,000' (W ers Phoenix) S.—Min. en route alt. W.—4,000' (Yuma Range)	None	W	10 mi.—3,000' S side W ers 15 mi.—3,000' S side W ers 20 mi.—4,000' S side W ers 25 mi.—4,000' S side W ers	1,600'	168	4.0	858'	R S A T	700 1.5 700 1.0 700 1.0 700 1.0 800 2.0 800 2.0 300 1.0 300 1.0 300 1.0

If visual contact not established over airport, at authorized minimums, or if landing not accomplished;
Remarks

Turn right and climb to 4,000'
on NW ers within 10 mi.
High terrain 8 mi. N of NW
ers; 10 mi. S of range on SE
ers.

Turn right and climb to 1,300' on E ers,
or alternate procedure (when
directed by ATC), turn right
and climb to 2,200' on E ers
within 25 mi.

*116' msl tower located on 4 mi.
SE of range and 2.3 mi. E of
S ers.

Climb to 2,500' on N ers, or
alternate procedure (when
directed by ATC), turn right
and climb to 2,200' on E ers
within 25 mi.

Climb to 2,500' on S ers within
right and shuttle to 9,000' on
SE ers within 25 mi. *7,500'
terrain on S side of W ers
within 10 mi.

If not contact over range, turn
right and shuttle to 9,000' on
SE ers within 25 mi. *7,500'
within 10 mi.

Climb to 8,000' on S ers within
25 mi.
*This airfield is inactive; pro-
cedure is for daylight emer-
gency use only.

Climb to 1,500' on NE ers
within 25 mi.

Climb to 1,500' on S ers
within 25 mi.

Climb to 10,000' on SW ers.

Climb to 4,000' on SW ers.

Climb to 1,200' on NE ers.

Climb to 10,000' on S ers.

Climb to 5,000' on E ers.

RULES AND REGULATIONS

LOW FREQUENCY RANGE PROCEDURE—Continued

Location; frequency; identification; class	Minimum initial approach altitude from the direction and radio fix indicated	Shuttle	Final approximate range course	Procedure turn minimum at distances from radio range station	Field elevation	Station to airport	Minimum altitude over-range final approximation	Ceiling and visibility minimums			
								Ceiling (ft.)	Visibility (mi.)	Ceiling (ft.)	Night
HOUSTON, TEX. Houston Airport 322 kc; HOU; SBRAZ-DTV Procedure No. 1	E.—160° (Beaumont Range) SE.—130° (Galveston Range) SW.—70° (Webster FM) (final) SW.—130° (SE crs Richmond) SW.—120° (Acrola FM) NW.—100° (NE crs Richmond) NW.—130° (Houston FM)	None	SE	10 mi.—1,100' S side SE crs 15 mi.—1,000' S side SE crs 20 mi.—1,100' S side SE crs 25 mi.—1,100' S side SE crs	700'	360	2.2	50' R S A T	500 500 800 300	1.5 1.0 2.0 1.0	Climb to 1,600' on NW crs within 25 mi.
Procedure No. 2	E.—160° (Beaumont Range) SE.—130° (Galveston Range) SW.—110° (Webster FM) SW.—150° (SW crs Richmond) SW.—120° (Acrola FM) NW.—160° (Bryan Range) NW.—130° (Houston FM) (final)	None	NW	10 mi.—1,000' W side NW crs 15 mi.—1,000' W side NW crs 20 mi.—1,000' W side NW crs 25 mi.—1,000' W side NW crs	1200' (Over Houston FM)	5.6	50' R S A T	500 500 800 300	1.5 1.0 2.0 1.0	Climb to 1,300' on SE crs within 25 mi.	
HURON, S. DAK., Huron Airport, 391 kc; HON; BMRLZ-DTV	NE.—2,900' (Watertown Range) SE.—2,800' (Sioux Falls Range) SW.—2,500' (E crs Pierre) (final) SW.—2,000' (E crs Pierre) NW.—Min. en route alt.	None	SW	10 mi.—2,500' S side SW crs* 15 mi.—2,000' S side SW crs* 20 mi.—3,000' S side SW crs* 25 mi.—3,000' S side SW crs*	*2,000'	48	2.8	4,287' R S A T	500 500 800 300	2.0 2.0 2.0 1.0	Climb to 2,900' on NE crs within 25 mi. *If procedure turn is accom- plished beyond 20 mi., final approach alt. inbound to int. SW Huron and E. Pierre is 2,500'.
KLAMATH FALLS, OREG. Klamath Falls Airport 242 kc; LMT; SBRAZ-DIV	N.—10,000' (S crs Redmond) N.—9,000' (E crs Medford) E.—Min. en route alt. S.—10,000' (C crs Whitman) S.—9,000' (E crs Fort Jones) W.—10,000' (S crs Medford)	None	S	12 mi.—8,000' E side SE crs 15 mi.—NA 20 mi.—NA 25 mi.—NA	6,500'	342	2.7	4,085' R S A T	1,900 1,900 2,000 1,000	2.0 2.0 2.0 2.0	Turn left and climb to 9,000' on S crs within 15 mi.
LAS VEGAS, NEV. McCarren Field 266 kc; LAS; SBRAZ-DTV	NE.—10,000' (Enterprise Range) NE.—7,000' (Crystal FM) SE.—8,000' (N crs Needles) SW.—9,500' (Silver Lake Range) NW.—Min. en route alt.	To 7,000' on NE and SW courses within 20 mi. (turns to S.)	SW	10 mi.—5,000' S side SW crs 15 mi.—5,000' S side SW crs 20 mi.—7,000' S side SW crs 25 mi.—10,000' S side SW crs	3,670'	196	10.0	2,172' R S A T	1,500 1,500 1,500 800	2.0 2.0 2.0 2.0	If not contact over range, climb to 7,000' on NE crs within 20 mi.
LONE ROCK, WIS. CAA Int. Field 278 kc; LNR; BMRLZ-DTV	N.—Min. en route alt. E.—2,500' (Madison Range) S.—Min. en route alt. W.—Min. en route alt.	None	W	10 mi.—2,300' S side W crs 15 mi.—2,500' S side W crs 20 mi.—2,500' S side W crs	2,020'	98	0.0	717' R S A T	*1,300 *1,300 *1,300 800	3.0 3.0 3.0 3.0	Climb to 2,800' on E crs. *Stall speed formula not appli- cable only.
MCHORD (Tacoma), WASH. McChord AFB; 272 kc; IOM; BMRLZ-DIV Procedures No. 1	NE.—2,500' (SE crs Seattle) SE.—Min. en route alt. SW.—Min. en route alt. NW.—Min. en route alt.	NW	ers within 20 mi.	10 mi.—3,500' S side NW crs 15 mi.—3,500' S side NW crs 20 mi.—3,500' S side NW crs 25 mi.—NA	1,500'	26	1.7	286' R S A T	1,200 1,200 1,200 600	2.0 2.0 2.0 2.0	Proceed out NE crs, climbing to 2,500' within 25 mi. and contact McChord tower for further instructions. GCA should be used whenever practicable.
MIAMI, FLA. Miami International Air- port 345 kc; MIA; SBRAZ-DTV	E.—Min. en route alt. SE.—1,400' (E crs Key West) W.—1,100' (SE crs Ft. Myers) W.—800' (Krome FM) (final) N.—1,300' (W crs W. Palm Beach)	None	W	10 mi.—1,100' S side W crs 15 mi.—1,100' S side W crs 20 mi.—1,100' S side W crs 25 mi.—1,100' S side W crs	800'	85	6.8	g' R S A T	500 500 800 300	1.5 1.0 2.0 1.0	Climb to 1,400' on E crs, or alternate procedure (when directed by ATC), turn right, climb to 1,400' on SE crs.
NEW YORK, N. Y. La Guardia Field 269 kc; LGA; SBRAZ-DTV Procedure No. 1	NE.—1,500' (NE crs Newark) NE.—1,000' (Port Chester FM) NE.—800' (New Rochelle FM) (final)* E.—1,500' (NE crs Mitchell) SW.—2,300' (SE crs Newark) NW.—1,700' (S crs Poughkeepsie)	None	NE	10 mi.—1,500' N side NE crs 15 mi.—1,500' N side NE crs 20 mi.—1,500' N side NE crs 25 mi.—1,500' N side NE crs	*1,000'	223	3.2	20' R S A T	600 600 800 300	1.5 1.0 2.0 1.0	Climb to 1,500' on SW crs. *Descent to cross range at 800' may be started only if New Rochelle F.M. is received. Straight-in approach to Run- way 32 only.

LOW FREQUENCY RANGE PROCEDURE—Continued

Station; frequency; identification; class	Minimum initial approach altitude from the direction and radio fix indicated	Shuttle	Final approach range course	Procedure turn minimum at distances from radio range station	Min. altitude over-range final approach	Station to airport	Field elevation*	Ceiling and visibility minimums				
								Ceiling (ft.)	Visi- bility (mi.)	Day	Night	
PALMDALE, CALIF. Los Angeles County Air- port at Kc: PMD; SBMRAZ-DTV	NE.—8,000' (N crs Daggett) SE.—12,000' (N crs Riverside) SW.—0,000' (Newhall Range) NW.—10,000' (S crs Bakersfield)	To 6,000' on NE crs within 16 mi.	NE	10 mi.—4,000' N side NE crs 15 mi.—5,000' N side NE crs 20 mi.—5,000' N side NE crs 25 mi.—5,000' N side NE crs	3,540' 214	2.5	2,540' R S A T	1,000 1,000 1,000 300	2.0 2.0 2.0 1.0	1,000 1,000 1,000 300	2.0 2.0 2.0 1.0	
PUEBLO, COLO. Pueblo Airport 302 kc; PUB; SBRAZ-DTV	N.—8,000' (Colorado Springs Range) N.—7,000' (Fountain Fm) (S-Bound only) E.—6,000' (La Juntas Range) S.—7,500' (Trinidad Range) W.—Min. en route alt.	None	S	10 mi.—6,500' E side S crs 15 mi.—7,500' E side S crs 20 mi.—7,500' E side S crs 25 mi.—7,500' E side S crs	*85, 800' 340	2.0	4,883' R S A T	500 500 800 400	1.5 2.0 2.0 1.0	500 500 800 400	2.0 2.0 2.0 1.0	
ROCK SPRINGS, WYO. Rock Springs Airport 290 kc; RKS; SBRAZ-DTV	N.—Min. en route alt. E.—10,000' (Sinclair Range) E.—8,700' (Point of Rocks Fm) (final) S.—Min. en route alt. W.—10,000' (Mt. Bridger Range)	None	E	10 mi.—9,200' N side E crs 15 mi.—9,200' N side E crs 20 mi.—9,200' N side E crs 25 mi.—9,200' N side E crs	8,700' 246	2.8	6,762' R S A T	500 500 800 300	1.5 2.0 2.0 1.0	500 500 800 300	2.0 2.0 2.0 1.0	
SAN DIEGO, CALIF. Lindbergh Field 224 kc; SAN; SBRAZ-DTV	N.—4,000' (SE crs Long Beach) N.—2,500' (Oceanside Fm) N.—1,200' (La Jolla Fm) (final) E.—0,000' (El Centro Range) E.—5,500' (Mt. Laguna H) E.—2,600' (La Mesa Fm) SE.—Min. en route alt. W.—2,600' (Coronado Fm) W.—Min. en route alt.	None	N	10 mi.—2,000' W side N crs 15 mi.—2,000' W side N crs 20 mi.—2,000' W side N crs 25 mi.—2,000' W side N crs	*1,500' 120	2.3	14' R S A T	700 700 800 300	2.0 2.0 2.0 1.0	700 700 800 300	2.0 2.0 2.0 1.0	
SAVANNAH, GA. Hunter Field 263 kc; SAV; SBMRLLZ-DTV	NE.—1,200' (Charleston Range) SE.—Min. en route alt. SW.—Min. en route alt. SW.—600' (Richmond Hill Fm) (final) NW.—1,300' (NE crs Alma)	None	SW	10 mi.—1,100' S side SW crs 15 mi.—1,100' S side SW crs 20 mi.—1,100' S side SW crs 25 mi.—1,100' S side SW crs	600' 51	2.2	40' R S A T	500 500 800 300	1.5 2.0 2.0 1.0	500 500 800 300	1.5 2.0 2.0 1.0	
TALLAHASSEE, FLA. Dale Mabry Field 379 kc; TLLH; SBRAZ-DTV	N.—1,400' (Albany Range) E.—1,400' (NW crs Crestview Fm) S.—Min. en route alt. NW.—700' (Quincy Fm) (final)	None	NW	10 mi.—1,300' S side NW crs 15 mi.—1,400' S side NW crs 20 mi.—1,400' S side NW crs 25 mi.—1,400' S side NW crs	700' 85	2.7	70' R S A T	500 500 800 300	1.5 2.0 2.0 1.0	500 500 800 300	1.5 2.0 2.0 1.0	
TERRE HAUTE, IND. Cox Airport 248 kc; HU; BMELZ-DTV	N.—1,900' (SW crs W Lafayette) E.—2,000' (Indianapolis Range) S.—1,900' (Evansville Range) W.—2,000' (Terre Haute Range) NW.—Min. en route alt.	None	W	10 mi.—1,800' S side W crs 15 mi.—1,800' S side W crs 20 mi.—1,800' S side W crs 25 mi.—1,800' S side W crs	1,300' 1,300'	1.82	0.0	485' R S A T	800 800 800 300	1.5 2.0 2.0 1.0	800 800 800 300	1.5 2.0 2.0 1.0
TRI-CITY (Bristol), TENN. 321 kc; TRI; SBMRAZ-DTV	NE.—7,000' (Pulaski Range) NE.—6,500' (Chilhowie Fm) SE.—Min. en route alt. SW.—5,000' (Knoxville Range) NW.—Min. en route alt.	None	NE	On 8W crs to 4,000' within 12 mi.	2,800' 2,800'	3.2	1,323' R S A T	800 1,000 1,300	1.5 2.0 2.0	800 1,000 1,300	2.0 2.0 2.0	
WICHITA, KANS. Wichita Airport 332 kc; ICT; SBRAZ-DTV	NE.—2,800' (W crs Chanute) S.—2,600' (NW crs Tulsa) SW.—3,000' (S crs Hutchinson) SW.—2,600' (Viola Fm) N.—2,800' (E crs Hutchinson) N.—2,300' (Keehi Fm) (final)	None	N	10 mi.—2,800' W side N crs 15 mi.—2,800' W side N crs 20 mi.—2,800' W side N crs 25 mi.—2,800' W side N crs	2,800' 167	1.2	1,372' R S A T	500 500 800 300	1.5 2.0 2.0 1.0	500 500 800 300	1.5 2.0 2.0 1.0	

If visual contact not established over airport, at authorized landing minimums, or if landing not accomplished; Remarks

If not contact over range, make 180° right turn (N) and climb to 6,000' on NE crs within 16 mi. High terrain 5 mi. SW of airport.
*Danger Area 16 mi. NE of range; make procedure turn within 16 mi.

Turn right and climb to 6,000' on E crs within 25 mi., or alternate procedure (when directed by ATC), climb to 8,000' on N crs.
*If contact is not estab. at 6,000' prior to reaching range, climb to 6,500' on S crs within 10 mi. for procedure turn.
**If procedure turn is accomplished beyond 10 mi., the alt. on final approach alt. over range is 6,100'.

Climb to 10,000' on W crs within 25 mi.
Climb to 10,000' on E crs within 15 mi. (Mexian Border).
*Descent to 1,200' to pass over range after passing La Jolla Fm; if La Jolla Fm. not received, final approach alt. over range is 1,300'.
CAUTION: High terrain 9 mi. E of N crs.

Climb to 3,000' on SE crs within 15 mi. (Mexian Border).
*Descent to 1,200' may be started after passing La Jolla Fm; if La Jolla Fm. not received, final approach alt. over range is 1,300'.
Climb to 1,300' on NE crs, or alternate procedure (when directed by ATC), turn left, climb to 1,300' on NW crs.

Climb to 1,400' on E crs, or alternate procedure (when directed by ATC), turn left, and climb to 1,400' on N crs.
*If not contact over range, climb to 5,000' on SW crs.

Climb to 2,500' on S crs, or alternate procedure (when directed by ATC), climb to 3,000' on SW crs.
*Runways 6L and 24R not authorized.

RULES AND REGULATIONS

Station; frequency; Identification; class	Minimum initial approach altitude from the direction and radio fix indicated	Shuttle	Final approximate range course	Procedure turn minimum at distances from radio range station	Station to airport	Field elevation	Ceiling and visibility minimums					
							Min. altitude over range final approximation	Magnetic bearing	Ceiling (ft.)	Day	Night	
WICHITA FALLS, TEX. Kelly Shepard AFB 259 kc; ICH; SBMRZA-DTV	NE.-2,500' (S crs Okla. City) SE.-2,200' (N crs Ft. Worth) SE.-1,700' (Jolly F.M. (Final)) NW.-3,000' (Abilene Range) NW.-2,500' (NE crs Childress VHF)	None	SE	10 mi.-2,200' E side SE crs 15 mi.-2,200' E side SE crs 20 mi.-2,200' E side SE crs 25 mi.-2,200' E side SE crs	1,700'	305	1.7	1,039' S A T	500 500 800 300	1.5 1.0 2.0 1.0	500 500 800 300	1.5 1.5 2.0 1.0
WINSTON-SALEM, N.C. Win-Reynolds Airport 382 kc; INT; SMRLZ-D	NE.-2,400' (NW crs Greensboro) SE.-2,000' (SW crs Greensboro) (final) SE.-2,000' (High Point F.M.) (final) SW.-2,500' (N crs Charlotte) NW.-2,500' (Min. en route alt.) NW.-3,000' (S crs Elizabethtown)	None	SE	10 mi.-2,200' W side SE crs 15 mi.-2,500' W side SE crs 20 mi.-2,500' W side SE crs 25 mi.-2,500' W side SE crs	2,000'	328	5.1	909' S A T	600 500 300	1.5 1.0 2.0	700 500 300	1.5 2.0 1.0
YAKIMA, WASH. Yakima Airport 350 kc; YKM; BMRLZ-DTV	NE.-NA (Danger Area) SE.-5,000' (NW crs Pendleton) SW.-8,000' (The Dalles Range) NW.-3,000' (en route alt.) NW.-4,000' (S crs Ellensburg)	None	SE	10 mi.-4,000' *S side SE crs 15 mi.-4,000' *S side SE crs 20 mi.-4,000' *S side SE crs 25 mi.-4,000' *S side SE crs	3,000'	267	4.7	1,077' S A T	900 800 500	2.5 2.0 1.0	1,000 800 800	2.5 2.0 2.0
YUMA, ARIZ. Yuma Co. Airport 250 kc; YUM; SBMRZA-DTV	N.-5,000' (Blythe Range) E.-4,000' (Gila Bend Range) S.-Min. W.-3,000' (El Centro Range)	None	N	10 mi.-3,000' E side N crs 15 mi.-3,000' E side N crs 20 mi.-3,000' E side N crs 25 mi.-3,000' E side N crs	2,500'	167'	5.8	213' S A T	600 600 300	1.5 1.5 2.0	NA NA NA	----- ----- -----
These procedures shall become effective upon publication in the FEDERAL REGISTER.										[F. R. Doc. 49-10576; Filed, Dec. 29, 1949; 8:48 a. m.]		
(Sec. 205 (a), 52 Stat. 984, as amended by Reorg. Plans III and IV of 1940, 3 CFR, Cum. Supp., 5 F.R. 2107, 2421; 49 U.S.C., 203.425 (a). Interpret or apply sec. 601, 52 Stat. 1007, as amended by 62 Stat. 1217; 49 U. S. C. 551)										[F. R. Doc. 49-10576; Filed, Dec. 29, 1949; 8:48 a. m.]		
[SEAL] E. M. STURHAHN, Acting Administrator of Civil Aeronautics.										[F. R. Doc. 49-10576; Filed, Dec. 29, 1949; 8:48 a. m.]		
TITLE 33—NAVIGATION AND NAVIGABLE WATERS										[F. R. Doc. 49-10576; Filed, Dec. 29, 1949; 8:48 a. m.]		
Chapter II—Corps of Engineers, Department of the Army										[F. R. Doc. 49-10576; Filed, Dec. 29, 1949; 8:48 a. m.]		
PART 203—BRIDGE REGULATIONS										[F. R. Doc. 49-10576; Filed, Dec. 29, 1949; 8:48 a. m.]		
MISCELLANEOUS AMENDMENTS										[F. R. Doc. 49-10576; Filed, Dec. 29, 1949; 8:48 a. m.]		
Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U. S. C.										[F. R. Doc. 49-10576; Filed, Dec. 29, 1949; 8:48 a. m.]		
If visual contact not established over airport, at authorized landing minimums, or landing not accomplished;										[F. R. Doc. 49-10576; Filed, Dec. 29, 1949; 8:48 a. m.]		
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Remarks										[F. R. Doc. 49-10576; Filed, Dec. 29, 1949; 8:48 a. m.]		
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Remarks										[F. R. Doc. 49-10576; Filed, Dec. 29, 1949; 8:48 a. m.]		

These procedures shall become effective upon publication in the FEDERAL

REGISTER.
Sec. 205 (a), 52 Stat. 984, as amended by Reorg. Plans III and IV of 1940, 3 CFR, Cum. Supp., 5 F. R. 2107, 2421; 49 U. S. C. 1225 (a). Interpret or apply sec. 601, 62 Stat. 1007, as amended by 62 Stat. 1217;

[SEAL] E. M. STUHANN,

*Acting Administrator of
Civil Aeronautics.*

[F. R. Doc. 49-10576; Filed, Dec. 29, 1949;
8:48 a. m.]

~~6002~~ TITLE 33 NAVIGATION AND

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 203—BRIDGE REGULATIONS

MISCELLANEOUS AMENDMENTS
Pursuant to the provisions of section 5

of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U. S. C.

den. At least 24 hours' advance notice required.

§ 203.240 Navigable waters discharging into the Atlantic Ocean south of and including Chesapeake Bay and into the Gulf of Mexico (including the Lower Atchafalaya River, La.), except the Mississippi River and its tributaries and outlets; bridges. * * *

NOTE: The special regulations contained in §§ 203.245 to 203.535, prescribed where local conditions require to govern the operation of certain bridges, supplement the general regulations contained in § 203.240.

§ 203.245 Navigable waters discharging into the Atlantic Ocean south of and including Chesapeake Bay and into the Gulf of Mexico, except the Mississippi River and its tributaries and outlets; bridges where constant attendance of draw tenders is not required. (a) The owners of or agencies controlling certain bridges will not be required to keep draw tenders in constant attendance. The bridges to which this section applies are listed, and the special regulations applicable in each case are set forth, in paragraphs (f) to (j) of this section.

* * * * *

(f) **Waterways discharging into Chesapeake Bay.** (1) Susquehanna River, Md.; The Pennsylvania Railroad Company bridge at Perryville. At least 24 hours' advance notice required.

(2) Bush River, Md.; The Pennsylvania Railroad Company bridge at Bush River. From June 1 to September 30, inclusive, the draw will be required to be opened not more than two times each day on Saturdays and Sundays only between 10:00 a. m. and 5:00 p. m., on receipt of at least 24 hours' advance notice from the duly authorized representative of the Bush River Boat Club. At all other times the draw need not be opened for the passage of vessels. The notice posted in accordance with paragraph (d) of this section shall state exactly how the representative of the Bush River Boat Club may be reached.

(3) Chester River, Md.; Maryland State Roads Commission bridge at Crumpton. Between sunrise and sunset from November 1 to March 31, inclusive, at least six hours' advance notice required. Between sunset and sunrise during this period the draw need not be opened for the passage of vessels. From April 1 to October 31, inclusive, the regulations contained in § 203.240 shall govern the operation of this bridge.

(4) Dorseys Creek, Md.; Maryland State Roads Commission bridge and Baltimore and Annapolis Railroad Company bridge at Annapolis. At least five hours' advance notice required.

(5) Weems Creek, Md.; Anne Arundel County highway bridge at West Annapolis. From October 1 to April 30, inclusive, and between sunset and sunrise from May 1 to September 30, inclusive, at least five hours' advance notice required. Between sunrise and sunset from May 1 to September 30, inclusive, the regulations contained in § 203.240 shall govern the operation of this bridge.

(6) Choptank River, Md.; Baltimore and Eastern Railroad Company bridge at Denton. Between 9:00 a. m. and 3:00 p. m., at least eight hours' advance notice

required. Between 3:00 p. m. and 9:00 a. m. the draw need not be opened for the passage of vessels.

(7) Hunting Creek, Md.; County Commissioners of Caroline and Dorchester Counties bridge near Choptank. At least 24 hours' advance notice required.

(8) Marshyhope Creek, Md.; Maryland State Roads Commission bridge at Brookview. Between sunrise and sunset, at least six hours' advance notice required. Between sunset and sunrise the draw need not be opened for the passage of vessels.

(9) Broad Creek River, Del.; The Pennsylvania Railroad Company bridge at Laurel. Between 12:00 noon and 1:00 p. m. and between 4:00 p. m. and 7:00 a. m., and at all times on Saturdays and Sundays and on New Year's Day, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day, and the Monday following any of the foregoing holidays which may fall on a Sunday, at least four hours' advance notice required: *Provided*, That any notice is sufficient if given directly to the draw tender while on duty.

(10) Neale Sound, Md.; Maryland State Roads Commission bridge between Cobb Island and Cobb Neck. Between sunset and sunrise the draw need not be opened for the passage of vessels. Between sunrise and sunset the regulations contained in § 203.240 shall govern the operation of this bridge.

(11) Pocomoke River, Md.; Maryland State Roads Commission bridge at Snow Hill. At least five hours' advance notice required.

(12) Onancock River (Warrington Branch), Va.; highway bridge at Onancock. At least three hours' advance notice required.

(13) Urbanna Creek, Va.; Middlesex County highway bridge at Urbanna. On Sundays and between sunset and sunrise on all other days from September 16 to May 31, inclusive, and between 9:30 p. m. and sunrise daily from June 1 to September 15, inclusive, the draw need not be opened for the passage of vessels. At all other times the regulations contained in § 203.240 shall govern the operation of this bridge.

(14) Cat Point Creek, Va.; Virginia Department of Highways bridge near Warsaw. At least four hours' advance notice required.

(15) Elizabeth River, Eastern Branch, Va.; City of Norfolk highway bridge (Campostella Bridge) at Norfolk. Between 7:35 a. m. and 7:50 a. m., on week days only, the draw need not be opened except for the passage of tugs with tows. At all other times and in all other respects the regulations contained in § 203.240 shall govern the operation of this bridge.

(16) Elizabeth River, Western Branch, Va.; Virginia Department of Highways bridge at Hodges Ferry. At least eight hours' advance notice required.

(17) Baines Creek, Va.; Atlantic Coast Line Railroad Company bridge at Portsmouth. At least 24 hours' advance notice required.

(18) Nansemond River, Western Branch, Va.; Virginia Department of Highways bridge at Reids Ferry. At

least eight hours' advance notice required.

(19) Appomattox River, Va.; Seaboard Air Line Railroad Company bridge near Hopewell. Between 6:00 p. m. and 6:00 a. m., at least 30 minutes' advance notice required. Between 6:00 a. m. and 6:00 p. m., the regulations contained in § 203.240 shall govern the operation of this bridge.

(g) **Waterways discharging into Atlantic Ocean between Chesapeake Bay and Charleston.** (1) Kendrick (Mackay) Creek, N. C.; Norfolk Southern Railway Company bridge at Mackeys. At least eight hours' advance notice required.

(2) Scuppernong River, N. C.; North Carolina State Highway and Public Works Commission bridge at Creswell. At least 24 hours' advance notice required.

(3) Pungo River, N. C.; North Carolina State Highway and Public Works Commission bridge at Leechville. At least 24 hours' advance notice required.

(4) Pungo Creek, N. C.; North Carolina State Highway and Public Works Commission bridge near Ransomville. At least 24 hours' advance notice required.

(5) South Creek, N. C.; North Carolina State Highway and Public Works Commission bridge at Aurora and Atlantic Coast Line Railroad Company bridge at Royal. At least 24 hours' advance notice required.

(6) Bath Creek, N. C.; North Carolina State Highway and Public Works Commission bridge at Bath. At least 24 hours' advance notice required.

(7) Tar River, N. C.; Atlantic Coast Line Railroad Company bridge at Greenville, and drawbridges upstream therefrom. At least 24 hours' advance notice required.

(8) Neuse River, N. C.; North Carolina State Highway and Public Works Commission bridge at Maple Cypress Landing (Fort Barnwell). At least 12 hours' advance notice required.

(9) Neuse River, N. C.; Drawbridges upstream from North Carolina State Highway and Public Works Commission bridge at Maple Cypress Landing (Fort Barnwell). At least 24 hours' advance notice required.

(10) Trent River, N. C.; Atlantic Coast Line Railroad Company bridge at Pollocksville, and drawbridges upstream therefrom. At least 24 hours' advance notice required.

(11) Brices Creek, N. C.; North Carolina State Highway and Public Works Commission bridge near James City. At least 24 hours' advance notice required.

(12) Contentnea Creek, N. C.; Atlantic Coast Line Railroad Company bridge at Grifton. At least 24 hours' advance notice required.

(13) Kingston Lake, S. C.; South Carolina State Highway Department bridge near Conway. At least 24 hours' advance notice required.

(14) Pee Dee River, S. C.; Seaboard Air Line Railway Company bridge at Poston. At least 24 hours' advance notice required.

(15) Pee Dee River, S. C.; South Carolina State Highway Department bridge near Georgetown (Pee Dee River draw-

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span of the Lafayette Bridge). At least 12 hours' advance notice required.

(16) Black River, S. C.; South Carolina State Highway Department bridge near Georgetown. At least 12 hours' advance notice required. The owner of or agency controlling the bridge shall arrange for its representative to be reached at the same place that the representative for the Lafayette Bridge may be reached in order that one notice may suffice to secure the prompt opening of both bridges.

(17) Santee and Congaree Rivers, S. C.; drawbridges upstream from South Carolina State Highway Department bridge near Lanes. At least 24 hours' advance notice required.

(18) Wando River, S. C.; South Carolina State Highway Department bridge near Cainhoy. At least 12 hours' advance notice required.

(19) Cooper River, S. C.; Seaboard Air Line Railway Company bridge near Cordesville. At least 24 hours' advance notice required: Provided, That a draw tender shall be placed in constant attendance on 10 days' notice in writing from the District Engineer, Corps of Engineers.

(h) *Waterways discharging into Atlantic Ocean south of Charleston.* (1) Church Creek, S. C.; South Carolina State Highway Department bridge between Johns Island and Wadmalaw Island. At least 24 hours' advance notice required.

(2) Edisto River, S. C.; Seaboard Air Line Railway Company bridge near Fenwick. At least 24 hours' advance notice required.

(3) Ashepoo River, S. C.; South Carolina State Highway Department bridge at Brickyard Ferry near Bennetts Point. At least 24 hours' advance notice required. Any vessel navigating Ashepoo River with the intention of making repeated trips shall notify the authorized representative of the owner of or agency controlling the bridge of the expected frequency of such trips. The bridge shall then be maintained in readiness to open promptly upon signal from the vessel without any further notice. Repeated trips shall be understood to mean trips not more than 24 hours apart.

(4) Ashepoo River, S. C.; Seaboard Air Line Railway Company bridge near Fenwick. At least 96 hours' advance notice required: Provided, That a draw tender shall be placed in constant attendance on 10 days' notice in writing from the District Engineer, Corps of Engineers.

(5) Harbor River, a tidal estuary in St. Helena Sound, S. C.; South Carolina State Highway Department bridge on State Highway No. 285 at Hunting Island. At least 24 hours' advance notice required.

(6) Combahee River, S. C.; Seaboard Air Line Railway Company bridge near Wiggins and South Carolina State Highway Department bridge near Sheldon. At least 12 hours' advance notice required.

(7) North Wimbee Creek, S. C.; Seaboard Air Line Railway Company bridge near Lobeco. At least 24 hours' advance notice required.

(8) Coosaw River (Whale Branch), S. C.; South Carolina State Highway Department bridge on State Highway No. 28 between Beaufort and Yemassee near Lobeco. From 8:00 p. m. Saturday to 6:00 a. m. Monday, and from 8:00 p. m. to 6:00 a. m. on all other days, at least 24 hours' advance notice required. At all other times the regulations contained in § 203.240 shall govern the operation of this bridge.

(9) Battery Creek, S. C.; South Carolina State Highway Department bridge between Beaufort and Parris Island. At least 24 hours' advance notice required.

(10) Broad River, S. C.; Seaboard Air Line Railway Company bridge near Whale Branch. At least 24 hours' advance notice required.

(11) Ogeechee River, Ga.; all drawbridges. At least 24 hours' advance notice required.

(12) Altamaha River, Oconee River, and Ocmulgee River, Ga.; all drawbridges. At least 24 hours' advance notice required.

(13) Satilla River, Ga.; State Highway Department of Georgia bridge near Burnt Fort. At least 24 hours' advance notice required.

(14) Broward River (Cedar Creek) and Clapboard Creek, Fla.; bridges on Heckscher Drive. At least 12 hours' advance notice required.

(15) St. Johns River, Fla.; Florida East Coast Railway Company bridge at Cook's Ferry. At least eight hours' advance notice required.

(16) Jupiter (Ioxahatchee) River, Fla.; Florida East Coast Railway Company bridge at Jupiter. Between 7:00 p. m. and 7:00 a. m. at least three hours' advance notice required.

(17) Kissimmee River, Fla.; State Road Department of Florida bridge seven miles above mouth near Okeechobee. At least 24 hours' advance notice required, except during a hurricane alert issued by the United States Weather Bureau affecting the area adjacent to Lake Okeechobee and Kissimmee River when a draw tender shall be constantly on duty and the bridge opened at any time for the passage of vessels giving the usual signal.

(18) Kissimmee River, Fla.; Seaboard Air Line Railway Company bridge near Fort Bassenger. At least 24 hours' advance notice required.

(i) *Waterways discharging into Gulf of Mexico east of Mississippi River.* (1) Caloosahatchee Canal, Fla.; Atlantic Coast Line Railroad Company bridge at Moore Haven. Between 10:00 p. m. and 6:00 a. m., the draw need not be opened for the passage of vessels. Between 6:00 a. m. and 10:00 p. m. the regulations contained in § 203.240 shall govern the operation of this bridge.

(2) Orange River, Fla.; State Road Department of Florida bridge 0.9 mile above mouth and Seaboard Air Line Railway Company bridge 2.25 miles above mouth, near Fort Myers. At least 24 hours' advance notice required, except during a hurricane alert issued by the United States Weather Bureau affecting the area adjacent to Caloosahatchee and Orange Rivers when a draw tender shall be constantly on duty and the bridge

opened at any time for the passage of vessels giving the usual signal.

(3) Miakka River, Fla.; highway and railroad drawbridges near Charlotte Beach. At least 36 hours' advance notice required.

(4) Lemon Bay, Fla.; highway drawbridge near Englewood. At least four hours' advance notice required.

(5) Palm River (Sixmile Creek), a tributary of McKay Bay near Tampa, Fla.; Atlantic Coast Line Railroad Company bridge about one mile above mouth. At least 12 hours' advance notice required. When such notice is given, the owner of or agency controlling the bridge shall keep a draw tender in constant attendance for a period of one hour beginning at the time of high tide at reference station Tampa, as published by the United States Coast and Geodetic Survey, occurring at any time between sunrise and sunset at latitude 28° north, as published by the United States Hydrographic Office. When a draw tender is in attendance at the bridge during such period, the bridge shall be opened for any vessel desiring passage whether or not it has given advance notice.

(6) Coffee Pot Bayou, St. Petersburg, Fla.; highway bridge at foot of Poplar Street. At least one hour's advance notice required.

(7) Pithlachascotee River, Fla.; State Road Department of Florida bridge 1.3 miles above mouth at New Port Richey. At least six hours' advance notice required, except during a hurricane alert issued by the United States Weather Bureau affecting the area when a draw tender shall be constantly on duty and the bridge opened promptly on signal.

(8) Suwannee River, Fla.; Atlantic Coast Line Railroad Company bridge at Old Town. At least five days' advance notice required.

(9) Apalachicola River, Fla.; Louisville and Nashville Railroad Company bridge at River Junction. At least 24 hours' advance notice required: Provided, That operators shall be placed in attendance on the bridge when the stage of the river rises to 14 feet on the gage, and they shall be maintained thereon for the duration of all stages above 14 feet.

(10) Flint River, Ga.; Seaboard Air Line Railway Company bridge and Atlantic Coast Line Railroad Company bridge at Bainbridge. At least 24 hours' advance notice required.

(11) Chattahoochee River, Ga., and Ala.; Atlantic Coast Line Railroad Company bridge at Alaga, Ala., Central of Georgia Railway Company bridge at Columbia, Ala., and Seaboard Air Line Railway Company bridge near Omaha, Ga. At least six hours' advance notice required.

(12) St. Andrews Bay (East Bay), Fla.; State Road Department of Florida bridge (Du Pont Bridge) on U. S. Highway No. 98 between San Blas and Long Point. Between 6:45 a. m. and 8:00 a. m., and between 4:15 p. m. and 5:15 p. m., daily, the draw need not be opened for the passage of vessels: Provided, That the draw shall be opened at any time for the passage of a tow or crash boat, or in

an emergency which shall be indicated by four blasts of the signaling device.

(13) St. Andrews Bay (West Bay), Fla.; State Road Department of Florida bridge (Hathaway Bridge) on U. S. Highway No. 98 between Sulphur Point and Panama City Beach. Between 7:00 a. m. and 8:00 a. m., and between 3:30 p. m. and 4:30 p. m., daily, the draw need not be opened for the passage of vessels: *Provided*, That the draw shall be opened at any time for the passage of a tow or crash boat, or in an emergency which shall be indicated by four blasts of the signaling device.

(14) West Bay Creek (Intracoastal Waterway), Fla.; State Road Department of Florida bridge on State Highway No. 10 at West Bay. Between 6:45 a. m. and 7:45 a. m., daily, the draw need not be opened for the passage of vessels: *Provided*, That the draw shall be opened at any time for the passage of a tow or crash boat, or in an emergency which shall be indicated by four blasts of the signaling device.

(15) Choctawhatchee River, Fla.; State Road Department of Florida bridge on State Road No. 10 approximately 14 miles east of Freeport. At least 12 hours' advance notice required.

(16) Coosa River, Ala.; Seaboard Air Line Railway Company bridge at Lock. At least 24 hours' advance notice required.

(17) Coosa River, Ala.; Louisville and Nashville Railroad Company bridge at Gadsden. At least six hours' advance notice required.

(18) Three Mile Creek, Ala., State of Alabama Highway Department bridge at Mobile. Between 7:00 a. m. and 9:00 a. m. and between 4:30 p. m. and 6:30 p. m. daily the draw need not be opened for the passage of vessels. At all other times, at least 12 hours' advance notice required.

(19) Three Mile Creek, Ala.; Southern Railway Company bridge at Mobile. On Sundays and between 8:30 p. m. and 4:30 a. m. on all other days the draw need not be opened for the passage of vessels except in the event of an emergency. At all other times and in all other respects the regulations contained in § 203.240 shall govern the operation of this bridge. Whenever, in the event of an emergency, a vessel is required to pass through the drawspan on Sunday or between 8:30 p. m. and 4:30 a. m., the draw shall be opened promptly upon receipt of notice by the draw tender who is domiciled in the immediate vicinity of the bridge. The notice posted in accordance with paragraph (d) of this section shall state exactly how the draw tender may be reached.

(20) West Pearl River, La.; New Orleans and Northeastern Railroad Company bridge at Pearl River Station. At least six hours' advance notice required.

(21) Bayou LaCombe, La.; Louisiana Department of Highway bridge at LaCombe. At least 48 hours' advance notice required.

(22) Bayou Colyell, La.; Louisiana Department of Highway bridge near Port Vincent. At least 48 hours' advance notice required.

(j) Waterways discharging into Gulf of Mexico west of Mississippi River. (1)

Bayou Lafourche, La.; Texas and New Orleans Railroad Company bridge at Lafourche. Between 5:00 p. m. and 8:00 a. m., at least 12 hours' advance notice required. Between 8:00 a. m. and 5:00 p. m. the regulations contained in § 203.240 shall govern the operation of this bridge.

(2) Bayou Lafourche, La.; Louisiana Department of Highways bridge at Lafouderville. At least 48 hours' advance notice required.

(3) Bayou Lafourche, La.; Louisiana Department of Highways bridge and The Texas and Pacific Railway Company bridge near Napoleonville. At least 24 hours' advance notice required.

(4) Bayou Black, La.; Morgan's Louisiana and Texas Railroad and Steamship Company bridge at Southdown. At least 24 hours' advance notice required.

(5) Bayou Grosse Tete, La.; The Texas and Pacific Railway Company bridge at Grosse Tete, and Louisiana Department of Highways bridge near Rosedale. At least 48 hours' advance notice required.

(6) Bayou Teche, La.; Louisiana Department of Highways bridges at Ruth and at Breaux Bridge. At least 48 hours' advance notice required.

(7) Bayou Teche, La.; Morgan's Louisiana and Texas Railroad and Steamship Company bridge at Breaux Bridge. At least 24 hours' advance notice required.

(8) Stumpy Bayou, La.; Louisiana Department of Highways bridge near Weeks Island. At least six days' advance notice required.

(9) Vermilion River, La.; Louisiana Department of Highways bridge near Lafayette. At least 48 hours' advance notice required.

(10) Bayou Des Cannes, La.; Louisiana Department of Highways bridge near Evangeline. At least 48 hours' advance notice required.

(11) Bayou Plaquemine Brule, La.; Texas and New Orleans Railroad Company bridge near Midland. At least 24 hours' advance notice required.

(12) Bayou Nezpique, La.; Louisiana Department of Highways bridge near Jennings. At least 48 hours' advance notice required.

(13) Bayou Choupique, La.; Louisiana Department of Highways bridges near Calcasieu. At least 48 hours' advance notice required.

(14) Bayou D'Inde, La.; Louisiana Department of Highways bridge. At least 48 hours' advance notice required.

(15) Bayou D'Inde, La.; railroad bridge of Defense Plant Corporation, Cities Service Refining Corporation, Agent. At least 72 hours' advance notice required.

(16) Contraband Bayou, La.; Police Jury of Calcasieu Parish highway bridge near Lake Charles. At least six hours' advance notice required.

(17) Houston River, La.; The Kansas City Southern Railway Company bridge near Lake Charles. At least 24 hours' advance notice required.

(18) English Bayou, La.; Louisiana Department of Highways bridge near Lake Charles. At least 48 hours' advance notice required.

(19) Sabine River, La. and Tex.; Texas and New Orleans Railroad Com-

pany bridge near Echo, Tex., The Kansas City Southern Railway Company bridge near Ruliff, Tex., and Texas and Louisiana Highway Departments bridge between Starks, La., and Deweyville, Tex. At least 24 hours' advance notice required.

(20) Cow Bayou, Tex.; Orange County highway bridges 7 and 17 miles, respectively, above the mouth, near Orangefield. At least six hours' advance notice required.

(21) Taylors Bayou, Tex.; Texas and New Orleans Railroad Company bridge and Texas Highway Department bridge at West Port Arthur. At least 48 hours' advance notice required.

(22) Buffalo Bayou, Tex.; Texas and New Orleans Railroad Company bridge 0.1 mile above Houston Turning Basin, Houston, and drawbridges upstream therefrom. At least 24 hours' advance notice required.

(23) Brays Bayou, Tex.; Harris County highways bridge at Broadway, Harrisburg. At least 12 hours' advance notice required.

(24) Brazos River, Tex.; combination highway and railroad bridge between Freeport and Velasco. At least 24 hours' advance notice required.

(25) Brazos River Diversion Channel, Tex.; highway bridge near Freeport. At least 12 hours' advance notice required.

§ 203.320 *Neale Sound, Md.; bridge between Cobb Island and mainland.* [Revoked.]

§ 203.345 *Urbanna Creek, Va.; bridge (highway) at Urbanna, Va.* [Revoked.]

§ 203.350 *Eastern branch of Elizabeth River, Va., bridge.* [Revoked.]

§ 203.400 *Coosaw River (Whale Branch), S. C.; bridge (on Highway 28) between Beaufort and Yemassee, S. C.* [Revoked.]

§ 203.435 *Jupiter (Loxahatchee) River, Fla.; Florida East Coast Railway bridge at Jupiter, Fla.* [Revoked.]

§ 203.481 *St. Andrews Bay, East Bay arm, Fla.; bridges of Florida State Road Department near Panama City.* [Revoked.]

§ 203.481a *St. Andrews Bay, West Bay arm, Fla.; bridge of Florida State Road Department, near Panama City, Florida (Hathaway bridge).* [Revoked.]

§ 203.481b *Intercoastal Waterway; bridge of Florida State Road Department at West Bay, Florida.* [Revoked.]

§ 203.492 *Three Mile Creek, Ala.; Southern Railway System bridge at Mobile, Ala.* [Revoked.]

§ 203.540 *Buffalo Bayou at Houston, Tex.* [Revoked.]

§ 203.555 *Mississippi River and its navigable tributaries and outlets, including the Atchafalaya River, La., above Grand Lake,* * * *

NOTE: The special regulations contained in §§ 203.560 to 203.620, prescribed where local conditions require to govern the operation of certain bridges, supplement the general regulations contained in § 203.555.

§ 203.560 *Mississippi River and its tributaries and outlets; bridges where*

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constant attendance of draw tenders is not required. (a) The owners of or agencies controlling certain bridges will not be required to keep draw tenders in constant attendance. The bridges to which this section applies are listed, and the special regulations applicable in each case are set forth, in paragraphs (f) and (g) of this section.

* * * * *

(f) Lower Mississippi River. (1) Tante Phine Pass, La.; Tide Water Associated Oil Company bridge near Venice. At least 24 hours' advance notice required.

(2) Red River, La.; State of Louisiana Department of Highways bridge at Monclu. At least 48 hours' advance notice required.

(3) Red River, La.; Louisiana and Arkansas Railway Company bridge, Rapides Parish highway bridge, and Missouri Pacific Railroad Company bridge, at Alexandria. At least four hours' advance notice required.

(4) Red River, La. and Ark.; State of Louisiana Department of Highways bridges at Boyce, at Grand Ecore, and at Coushatta, La., and St. Louis Southwestern Railway Company bridges at Shreveport, La., and at Garland City, Ark. At least 48 hours' advance notice required.

(5) Red River, Ark.; Missouri Pacific Railroad Company bridge at Fulton. At least 24 hours' advance notice required.

(6) Caddo Lake, La.; The Kansas City Southern Railway Company bridge near Mooringsport. At least 24 hours' advance notice required.

(7) Little River, La.; Louisiana and Arkansas Railway Company bridge at Archie. During normal river stages, at least 12 hours' advance notice required. During high-water periods a draw tender shall be maintained in constant attendance when so directed by the District Engineer, Corps of Engineers.

(8) Tensas River, La.; Missouri Pacific Railroad Company bridge at Clayton. From May 1 to December 31, inclusive, during normal river stages, at least 12 hours' advance notice required. During high-water periods a draw tender shall be maintained in constant attendance when so directed by the District Engineer, Corps of Engineers.

(9) Tensas, La.; State of Louisiana Department of Highways bridges at Clayton and near New Light. At least 48 hours' advance notice required.

(10) Macon Bayou, La.; State of Louisiana Department of Highways bridge near Winnsboro. At least 24 hours' advance notice required.

(11) Boeuf River, La.; State of Louisiana Department of Highways bridge near Mason. At least 48 hours' advance notice required.

(12) Ouachita River, Ark.; St. Louis Southwestern Railway Company bridge near Camden. At least 48 hours' advance notice required.

(13) Yazoo River, Miss.; The Yazoo and Mississippi Valley Railroad Company bridge at Redwood, Mississippi State Highway Department bridge at Yazoo City, and The Yazoo and Mississippi Valley Railroad Company bridge at Home Park. During normal river stages,

at least three hours' advance notice required. During high-water periods a draw tender shall be maintained in constant attendance when so directed by the District Engineer, Corps of Engineers. Copies of the notice posted in accordance with paragraph (d) of this section shall also be conspicuously posted at the mouth of Yazoo Canal, Vicksburg, and at Satartia for the Redwood Bridge, at Satartia and Belzoni for the Yazoo City Bridge, and at Yazoo City and Belzoni for the Home Park Bridge.

(14) Yazoo River, Miss.; Columbus and Greenville Railway Company bridge at Fort Loring. At least four hours' advance notice required.

(15) Big Sunflower River, Miss.; Columbus and Greenville Railway Company bridge near Baird. At least four hours' advance notice required.

(16) Arkansas River, Ark.; Missouri Pacific Railroad Company bridge at Yancopin. Between midnight Friday and midnight Sunday of each week, during normal river stages, at least 24 hours' advance notice required. During high-water periods a draw tender shall be maintained in constant attendance when so directed by the District Engineer, Corps of Engineers.

(17) Arkansas River, Ark.; St. Louis Southwestern Railway Company bridge at Rob Roy. During normal river stages, at least 24 hours' advance notice required. During high-water periods a draw tender shall be maintained in constant attendance when so directed by the District Engineer, Corps of Engineers.

(18) Arkansas River, Ark.; The Chicago, Rock Island and Pacific Railway Company bridge at McClean Street, Little Rock. At least eight hours' advance notice required. Whenever any vessel passing through the bridge intends to return through it within 24 hours and informs the draw tender of the probable time of its return, the draw shall be opened promptly on signal for the passage of the vessel on its return trip without any further notice.

(19) White River, Ark.; Missouri Pacific Railroad Company bridge near Benzal and The Chicago, Rock Island and Pacific Railway Company bridge near DeValls Bluff. Between 6:00 p. m. Friday and 9:00 a. m. Monday of each week, at least 12 hours' advance notice required. Whenever any vessel passing through either bridge intends to return through it within 12 hours and informs the draw tender of the probable time of its return, the draw shall be opened promptly on signal for the passage of the vessel on its return trip without any further notice.

(20) White River, Ark.; Missouri Pacific Railroad Company bridge near Augusta. Between midnight Friday and midnight Sunday of each week at least 24 hours' advance notice required; to be given to the trainmaster or dispatcher of the Missouri Pacific Railroad Company at Wynne, Arkansas, or to the draw tender on duty at the bridge. Whenever any vessel passing through the bridge intends to return through it on Saturday or Sunday and informs the draw tender of the probable time of its return, the draw shall be opened promptly on signal for the passage of the vessel on its return trip without any further notice.

(21) White and Black River, Ark.; Missouri Pacific Railroad Company bridges across White River near Newport and across Black River at Paroquet. At least 24 hours' advance notice required; to be given to the station agent of the Missouri Pacific Railroad Company at Newport or to the draw tender on duty at the bridge desired to be opened. Whenever any vessel passing through either bridge intends to return through it within 24 hours and informs the draw tender of the probable time of its return, the draw shall be opened promptly on signal for the passage of the vessel on its return trip without any further notice.

(g) Ohio River and Upper Mississippi River. (1) Ohio River, Ky. and Ind.; Kentucky and Indiana Terminal Railroad Company bridge at New Albany, Ind. At least 24 hours' advance notice required.

(2) Tennessee River, Tenn.; City of Chattanooga highway bridge at Market Street, Chattanooga. When the river is below a 25-foot stage as determined from readings of the Chattanooga gage posted daily at the Chattanooga City Wharf, at least two hours' advance notice required. A copy of the notice posted in accordance with paragraph (d) of this section shall also be conspicuously posted at the City Wharf.

(3) Tennessee River, Tenn.; Southern Railway Company bridge at Hixson. When a minimum vertical clearance of 47 feet is available under the lift span as determined from gages suitably marked to indicate the minimum clearance and attached to the upstream and downstream sides of the right and left channel piers, respectively, at least two hours' advance notice required. A copy of the notice posted in accordance with paragraph (d) of this section shall also be conspicuously posted at the Chattanooga City Wharf.

(4) Cumberland River, Tenn.; Louisville and Nashville Railroad Company bridge at Clarksville. When the river stage is below 25 feet the United States Weather Bureau gage at Clarksville, at least two hours' advance notice required. Copies of the notice posted in accordance with paragraph (d) of this section shall also be conspicuously posted on Locks B and C, Cumberland River. The owner of or agency controlling the bridge shall arrange for ready telephonic communication with its authorized representative at any time from the bridge or its immediate vicinity, and from Lock B and C.

(5) Cumberland River, Tenn.; Tennessee Central Railway Company bridge near Bordeaux. When the stage of the river permits a vertical clearance of 47 feet or more under the lift span when in a closed position as determined from gages suitably marked to indicate the minimum clearance and attached to the upstream and downstream sides of the bridge, at least two hours' advance notice required. The owner of or agency controlling the bridge shall report monthly to the District Engineer, Corps of Engineers, the number of requests for opening the bridge during periods when continuous bridge tender service is not required, from whom received, date and hour received, time bridge was ready to open, and time boat passed.

(6) Wabash River, Ill. and Ind., and White River, Ind.; all drawbridges. At least 24 hours' advance notice required.

(7) Missouri River, Nebr. and Iowa; Dakota County bridge between Sioux City, Iowa, and South Sioux City, Nebr. At least two hours' advance notice required.

(8) Missouri River, S. C.; Chicago and North Western Railway Company bridge at Pierre. At least four hours' advance notice required.

(9) Osage River, Mo.; Missouri Pacific Railroad Company bridge and Missouri State Highway Department bridge near Osage City. At least 24 hours' advance notice required.

(10) Wisconsin River, Wis.; all drawbridges. At least 48 hours' advance notice required.

(11) Black River, Wis.; Chicago, Milwaukee, St. Paul and Pacific Railroad Company bridge at La Grosse. At least two hours' advance notice required.

(12) Black River, Wis.; Wisconsin State Highway Commission bridge at North La Crosse. At least 24 hours' advance notice required.

(13) St. Croix River, Wis. and Minn.; States of Wisconsin and Minnesota highway bridge at Stillwater, Minn. At least two hours' advance notice required, except between 8:00 a. m. and 12:00 midnight on all Saturdays, Sundays, and Federal and State legal holidays, and between 1:00 p. m. and 9:00 p. m. on all other days, from the third Monday in June to the last Friday before Labor Day, inclusive, when the regulations contained in § 203.555 shall govern the operation of this bridge.

(14) St. Croix River, Wis. and Minn.; Minneapolis, St. Paul and Sault Ste. Marie Railroad Company bridge near Otisville, Minn., and Village of Osceola highway bridge at Osceola, Wis. At least 24 hours' advance notice required.

(15) Minnesota River, Minn.; all drawbridges between the mouth and Le Sueur. At least 24 hours' advance notice required. The draws of bridges above Le Sueur need not be opened for passage of vessels.

§ 203.562 Tensas River, La.; Missouri Pacific Railroad bridge at Clayton, La. [Revoked.]

§ 203.563 Little River at Archie, La.; Louisiana & Arkansas Railroad bridge. [Revoked.]

§ 203.575 Yazoo River, Miss., bridges of Yazoo & Mississippi Valley Railroad at Home Park and Redwood, Miss., and of Mississippi State Highway Department at Yazoo, Miss. [Revoked.]

§ 203.580 Arkansas River, Arks; Chicago, Rock Island & Pacific R. R. bridge at Little Rock. [Revoked.]

§ 203.595 Ohio River and its tributaries including Salt River, Ky., Wabash River, Ill. and Ind., and White River, Ind.; bridges. [Revoked.]

§ 203.600 Tennessee River, Tenn.; Market Street Highway bridge at Chattanooga, Tenn., and the Southern Railway bridge at Hixson, Tenn. [Revoked.]

§ 203.605 Cumberland River, Tenn. [Revoked.]

§ 203.605 Illinois Waterway, Ill.; bridges (highway and railroad) at Pekin, Peoria, and Joliet, Ill. * * * [Section 203.665 redesignated § 203.605.]

§ 203.665 Illinois Waterway, Ill.; bridges (highway and railroad) at Pekin, Peoria, and Joliet, Ill. [Redesignated § 203.605.]

§ 203.712 Tributaries of San Francisco Bay and San Pablo Bay, Calif. * * * (1) Mare Island Strait, Napa River, and their tributaries. * * *

(3) Napa County highway bridge near Imola. * * *, telephone Napa 4-0593. * * * *

[Regs. Dec. 8, 1949, 823.01-ENGWO] (28 Stat. 362; 33 U. S. C. 499)

[SEAL] EDWARD F. WITSELL,
Major General,
The Adjutant General.

[F. R. Doc. 49-10520; Filed, Dec. 29, 1949,
8:45 a. m.]

96803 TITLE 45—PUBLIC WELFARE

Chapter V—War Claims Commission

Subchapter A—Rules of Practice

PART 501—PRACTICE BEFORE THE COMMISSION Correction

In Federal Register Document 49-10507, published at page 7764 of the issue for Thursday, December 29, 1949, the title for Daniel F. Cleary should read "Chairman".

96804
Subchapter B—Receipt, Adjudication and Payment of

PART 505—FILING OF CLAIMS AND PROCEDURES THEREFOR

Sec.

- 505.1 Claim defined.
- 505.2 Time within which claims may be filed.
- 505.3 Official forms.
- 505.4 Official certificates of dependency.
- 505.5 Place of filing claims.
- 505.6 Requisites for filing claims.
- 505.7 Receivability of claims.

AUTHORITY: §§ 505.1 to 505.7 issued under sec. 2 (c), 62 Stat. 1240; 50 U. S. C. App. Sup., 2001 (c).

§ 505.1 *Claim defined.* A "claim" is an application made on an official form provided by the Commission for such purpose, prepared in accordance with the printed instructions contained therein, which is submitted to the Commission for adjudication under the provisions of sections 5, 6 and 7 of the act.

§ 505.2 *Time within which claims may be filed.* Claims made under sections 5, 6 or 7 of the act will be received by the Commission during the period from January 3, 1950 to March 1, 1951, inclusive, in accordance with notice given (14 F. R. 7764) pursuant to the provisions of section 2 (c) of the act.

§ 505.3 *Official forms.* Official forms are provided for use in the preparation of claims for submission to the Commission for adjudication and such forms

are available as prescribed in section 7 of the description of organization (14 F. R. 7819). An official form is provided for each type of claim that may be made under the provisions of sections 5, 6 or 7 of the act and each is accompanied by printed instructions which explain its proper use, preparation and execution. The official forms required to be used with respect to each type of claim adjudicable under said sections 5, 6 or 7 of the act, are designated and identified as follows:

(a) For compensation by living prisoners of war, W. C. C. Form 601—Application For Living Ex-Prisoner of War Benefits.

(b) For compensation by survivors of deceased prisoners of war, W. C. C. Form 650—Application For Prisoner of War Benefits By Survivors of Deceased Prisoner of War.

(c) For detention benefits by living civilian American citizens, W. C. C. Form 501—Application For Living Civilian Detention Benefits.

(d) For detention benefits by survivors of deceased civilian American citizens, W. C. C. Form 550—Application For Detention Benefits by Survivors of Deceased Prisoner, Internee, etc.

(e) For reimbursement by a religious organization or the personnel of a religious organization, W. C. C. Form 701—Application For Reimbursement by Religious Organization.

§ 505.4 *Official certificates of dependency.* (a) Deceased prisoner of war's dependent parent. Claims submitted to the Commission for adjudication by a dependent parent as a survivor of a deceased prisoner of war shall be accompanied by a certificate of dependency prepared on an official form designated and identified as W. C. C. Form 651—Parents Certificate of Dependency.

(b) Deceased prisoner of war or civilian American citizen's dependent husband. Claims submitted to the Commission for adjudication by a dependent husband as a survivor of a deceased prisoner of war or as a survivor of a deceased civilian American citizen (as defined in section 5 of the act) shall be accompanied by a certificate of dependency prepared on an official form designated and identified as W. C. C. Form 551—Husband's Certificate of Dependency.

§ 505.5 *Place of filing claims.* Claims submitted to the Commission for adjudication under the provisions of sections 5, 6 or 7 of the act, shall be filed at the offices of the Commission at Washington, D. C.

§ 505.6 *Requisites for filing claims—* (a) *Documents to accompany forms.* Claims shall be filed within the time prescribed in § 505.2, on the appropriate official form provided by the Commission (see §§ 505.3 and 505.4) and shall be accompanied by all the evidentiary documents, instruments and records prescribed in the instructions which accompany each type of official form.

(b) *Language for forms and documents.* Official forms shall be prepared in accordance with the instructions and in the English language, but evidentiary

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documents, instruments or records, or authenticated copies thereof, shall be submitted in the language in which originally written.

(c) *Supplemental proof required.* In appropriate cases, the Commission may require the submission of supplemental proofs and will designate whether the same shall be submitted orally or in writing.

§ 505.7 Receivability of claims—(a) *Claims deemed not received.* A claim will not be deemed to have been received by the Commission for adjudication if the Comision or an authorized employee or agent thereof determines either that it has not properly been prepared in accordance with appropriate instructions or that the person submitting it is not a person eligible to make claim under the provisions of sections 5, 6 or 7 of the act. In such event, the claim shall not be received, but shall be returned to the sender with an explanation therefor.

(b) *Claims returned.* A claim form which has been so prepared as to preclude ascertainment of information essential to an adjudication thereof shall not be received but shall be returned to the sender for corrective action. The Commission assumes no responsibility for the return of a claim form that has been so illegibly prepared that the name and/or address of the sender cannot be ascertained.

PART 506—PROVISIONS OF GENERAL APPLICATIONS

Sec.

- 506.1 Persons eligible to file claims.
- 506.2 Persons under legal disability.
- 506.3 Definitions.

AUTHORITY: §§ 506.1 to 506.3 issued under sec. 2 (c), 62 Stat. 1240; 50 U. S. C. App., Sup., 2001 (c).

§ 506.1 Persons eligible to file claims. Persons eligible to submit claims to the Commission for adjudication under the provisions of sections 5, 6, or 7 of the act, are:

(a) Prisoners of war or the survivors of deceased prisoners of war under the provisions of section 6 of the act,

(b) Civilian American citizens or the survivors of deceased civilian American citizens for detention benefits under the provisions of section 5 of the act,

(c) Religious organizations or the personnel of religious organizations for reimbursement under the provisions of section 7 of the act.

§ 506.2 Persons under legal disability. Claims may be submitted for adjudication on behalf of persons who, being otherwise eligible to make claim under the provisions of sections 5, 6, or 7 of the act, are incompetent or otherwise under legal disability, by the legal or natural guardian of such persons.

§ 506.3 Definitions—(a) Widow. A "Widow" is the surviving female spouse of a deceased prisoner of war or a deceased civilian American citizen who was married to the deceased at the time of his death by a marriage valid under the applicable law of the place where entered into.

(b) *Dependent husband.* A "dependent husband" is the surviving male spouse of a deceased prisoner of war or of a deceased civilian American citizen who was married to the deceased at the time of her death by a marriage valid under the applicable law of the place where entered into, and who was then dependent upon the deceased.

(c) *Child.* (1) A "child" is a natural or adopted son or daughter of a deceased prisoner of war or a deceased civilian American citizen, including any posthumous son or daughter of such deceased person.

(2) Any son or daughter of such deceased person born out of wedlock will be deemed to be a child of such deceased for the purposes of this act if, (i) legitimated by a subsequent marriage of the parents; (ii) recognized as a child of the deceased by his or her admission, or (iii) so declared by an order or decree of any court of competent jurisdiction.

(d) *Dependent parent.* A "dependent parent" is the natural or adoptive father or mother of a deceased prisoner of war, or any person standing in loco parentis to the deceased, who was dependent upon the deceased at the time of his death or at the time of making claim.

(e) *Dependent.* (1) A husband or parent of a deceased prisoner of war will be deemed to have been dependent upon the deceased, and (2) a husband of a deceased civilian American citizen will be deemed to have been dependent upon the deceased, if, at the time of determination, the deceased contributed substantially to the support of such husband or parent.

PART 507—ENTITLEMENT TO AWARD

SUBPART A—PRISONERS OF WAR COMPENSATION

Sec.

- 507.1 Persons entitled to award of compensation.
- 507.2 Rate of and basis for award of compensation.
- 507.3 Membership in military or naval forces of the United States.
- 507.4 Military or naval forces of the United States.
- 507.5 Enemy government.
- 507.6 Subsequent to December 7, 1941.
- 507.7 The Geneva Convention.
- 507.9 Equal in quantity and quality.
- 507.10 Base camp.
- 507.11 Violation of obligation of the Geneva Convention.
- 507.12 Survivors entitled to award of compensation.

SUBPART B—INTERRED CIVILIAN AMERICAN CITIZENS DETENTION BENEFITS

- 507.20 Persons entitled to detention benefits.
- 507.21 Term "being then" defined.
- 507.22 Citizen of the United States.
- 507.23 Captured by the Imperial Japanese Government.
- 507.24 On or after December 7, 1941.
- 507.25 Any such place.
- 507.26 In transit to or from.
- 507.27 Went into hiding.
- 507.28 Subsequent to December 6, 1941.
- 507.29 Rate of detention benefits.
- 507.30 Calendar month.
- 507.31 Less than eighteen years of age.
- 507.32 Survivors entitled to detention benefits.
- 507.33 Persons not entitled to award of detention benefits.
- 507.34 Such government.
- 507.35 Voluntarily.

Sec.

- 507.36 Collaborated with.
- 507.37 Gave aid to.
- 507.38 In any manner served.

AUTHORITY: §§ 507.1 to 507.38, issued under sec. 2 (c), 62 Stat. 1240; 50 U. S. C. App. Sup., 2001 (c).

SUBPART A—PRISONER OF WAR COMPENSATION

§ 507.1 Persons entitled to award of compensation. Any regularly appointed, enrolled, enlisted, or inducted member of the military or naval forces of the United States who was held as a prisoner of war for any period of time subsequent to December 7, 1941, by any government of any nation with which the United States has been at war subsequent to December 7, 1941, and, with respect to whom, the enemy government by which he was held as a prisoner of war, violated its obligation to furnish him the quantity and quality of food to which he was entitled as a prisoner of war under the terms of the Geneva Convention of July 27, 1929, who makes claim is a person entitled to an award of compensation as a prisoner of war.

§ 507.2 Rate of and basis for award of compensation. Compensation allowed a prisoner of war will be paid at the rate of \$1 for each day that he was held as a prisoner of war on which the enemy government failed to furnish him such quantity and quality of food required to be furnished prisoners of war under the terms of the Geneva Convention of July 27, 1929.

§ 507.3 Membership in the military or naval forces of the United States. Regular appointment, enrollment, enlistment or induction in the military or naval forces of the United States shall be established by certification of the Department of Defense.

§ 507.4 Military or naval forces of the United States. "Military or naval forces of the United States" means the United States Army, Navy, Marine Corps and Coast Guard; commissioned officers of the United States Public Health Service who were detailed for active duty with the Army, Navy, Marine Corps or Coast Guard; commissioned officers of the United States Coast and Geodetic Survey who were assigned to duty during World War II on projects of the War and Navy departments outside the continental United States; members of the organized Philippine Army of the government of the Commonwealth of the Philippines and other units who were called or ordered into service of the armed forces of the United States in valid orders by the General, United States Army, designated by the Secretary of War, pursuant to and in compliance with the Military Order of the President of the United States, dated July 26, 1941 (6 F. R. 3825; 3 CFR, 1943 Cum. Supp.).

§ 507.5 Enemy government. "Enemy government" means any government of any nation with which the United States has been at war subsequent to December 7, 1941; and, "any government of any nation with which the United States has been at war" means any government which declared war on the United States

on or after December 7, 1941, or with which, as respects the United States, a state of war existed subsequent to that date.

§ 507.6 Subsequent to December 7, 1941. "Subsequent to December 7, 1941" means any time following 12:00 o'clock midnight, December 7, 1941.

§ 507.7 The Geneva Convention. The Geneva Convention is the "Convention of July 27, 1929, Relative To The Treatment Of Prisoners Of War" entered into between the United States and other powers at Geneva, Switzerland, on July 27, 1929, to the observance of which, among other signatory powers, the United States, Germany, Italy, Hungary, Bulgaria, Thailand, and Japan subsequently became bound.

§ 507.8 Obligation of the Geneva Convention. For the purposes of this part, the obligation of the Geneva Convention is the responsibility assumed by the contracting parties thereto with respect to prisoners of war within the meaning of the Convention, to comply with and to fully observe the provisions of the Convention, and particularly that portion of Article 11, section 2, thereof, which reads "The food ration of prisoners of war shall be equal in quantity and quality to that of troops at base camps."

§ 507.9 Equal in quantity and quality. "Equal in quantity and quality" means food that is equal in amount and volume, and in edibility, palatability, and nutritional value to a standard ration prescribed by the detaining power for issue to its own military or naval personnel at its own base camps.

§ 507.10 Base camp. "Base camp" means a permanent military establishment used by the detaining power to provide quarters for components of its own regularly established military or naval forces, and for the purposes of this part, shall be deemed to include only camps at which a standard ration was prescribed by the detaining power for issue to its own regularly established military or naval forces.

§ 507.11 Violation of the obligation of the Geneva Convention. For the purposes of this part, the obligation of the Geneva Convention shall be deemed to have been violated by the enemy government each day that it did not furnish prisoners of war within the meaning of this act and the Geneva Convention with food of like quantity or quality as that prescribed by the detaining power as a standard ration for issue to its own regularly established military or naval forces at its own base camps.

§ 507.12 Survivors entitled to award of compensation. In the case of the death of a prisoner of war who would have been entitled to an award of compensation under section 6 of the act, such compensation shall be awarded to, and if claim is made only to, the following persons: (a) Widow or dependent husband if there is no child or children of the deceased; (b) widow or dependent husband and child or children of the deceased; one half to the widow or dependent husband and the other half

to the child or children of the deceased in equal shares; (c) child or children of the deceased (in equal shares) if there is no widow or dependent husband; and (d) dependent parents (in equal shares) if there is no widow, dependent husband, or child.

SUBPART B—INTERNED CIVILIAN AMERICAN CITIZENS DETENTION BENEFITS

§ 507.20 Persons entitled to award of detention benefits. Any civilian American citizen who, being then a citizen of the United States, was captured by the Imperial Japanese government on or after December 7, 1941, at Midway, Guam, Wake Island, the Philippine Islands, or any Territory or possession of the United States attacked or invaded by such government, or while in transit to or from any such place (hereinafter referred to as "internee") or who went into hiding at any such place in order to avoid capture or internment (hereinafter referred to as an "evadée"), by such government and who makes claim is a person entitled to an award of detention benefits.

§ 507.21 Term "being then" defined. "Being then" as used in the phrase "being then a citizen of the United States" means (a) in the case of an internee, the date upon which he was captured by the Imperial Japanese government (b) in the case of an evadée, the date upon which he initiated a course of conduct intended to effect an evasion of capture or internment by such government, or (c) in the case of a child born of an evadée or internee on or after December 7, 1941, the date of birth of such child.

§ 507.22 Citizen of the United States. "Citizen of the United States" means a person who under applicable law acquired citizenship of the United States by birth, by naturalization, or by derivation.

§ 507.23 Captured by the Imperial Japanese government. A civilian American citizen shall be deemed to have been captured by the Imperial Japanese government at the time when, by reason of any act of such government or any agent thereof, he was taken into actual or constructive custody by such government, whether by forceable seizure and detention or by his compliance with any order of such government, however published, directing him to restrict his freedom of movement.

§ 507.24 On or after December 7, 1941. "On or after December 7, 1941," means any time subsequent to 12:00 o'clock midnight of December 6, 1941.

§ 507.25 Any such place. "Any such place" means Midway, Guam, Wake Island, the Philippine Islands, Alaska, or any other Territory or possession of the United States attacked or invaded by such government.

§ 507.26 In transit to or from. A civilian American citizen shall be deemed to have been in transit to or from any such place when he was travelling by sea or by air aboard a public, private, or government carrier in any capacity, the destination of which carrier was, or the itinerary of which included calls at Midway, Guam, Wake Island, the Philippine Islands, Alaska, or any other Terri-

tory or possession of the United States attacked or invaded by such government, or which had taken a departure from any such place.

§ 507.27 Went into hiding. A civilian American citizen shall be deemed to have entered into hiding to avoid capture or internment by the Imperial Japanese government when he initiated a course of conduct consistent with an intention to evade such capture or detention.

§ 507.28 Subsequent to December 6, 1941. "Subsequent to December 6, 1941" means any time subsequent to 12:00 o'clock midnight of December 6, 1941.

§ 507.29 Rate of detention benefits. Detention benefits awarded a civilian American citizen will be paid at the rate of \$60.00 for each calendar month of internment during which such person was at least eighteen years of age and at the rate of \$25.00 for each calendar month of internment during which such person was less than eighteen years of age. Awards shall take account of fractional parts of a calendar month.

§ 507.30 Calendar month. "Calendar month" means the period of time between a designated day of any given month and the date preceding a similarly designated day of the following month.

§ 507.31 Less than eighteen years of age. A civilian American citizen shall be deemed to have been less than eighteen years of age at any time prior to 12:01 a. m. of the date on which such person would have attained his eighteenth birthday.

§ 507.32 Survivors entitled to award of detention benefits. In the case of the death of a civilian American citizen who would have been entitled to detention benefits under the act, such benefits shall be awarded if claim is made only to the following persons: (a) Widow or dependent husband if there is no child or children of the deceased; (b) widow or dependent husband and child or children of the deceased, one half to the widow or dependent husband and the other half to the child or children in equal shares; and (c) child or children of the deceased (in equal shares) if there is no widow or dependent husband.

§ 507.33 Persons not entitled to award of detention benefits. Certain persons are disqualified for an award of detention benefits as follows:

(a) A person who at any time voluntarily gave aid to, collaborated with, or in any manner served the Imperial Japanese government, or

(b) A person who at the time of capture or entrance into hiding was:

(1) A person within the purview of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended and extended, (39 Stat. 742, as amended; 5 U. S. C. 751 et seq.), or

(2) A person within the purview of the act entitled "An act to provide benefits for the injury, disability, death, or enemy detention of employees of con-

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tractors with the United States, and for other purposes," approved December 2, 1942, as amended, (56 Stat. 1028, as amended; 42 U. S. C. and Sup. 1701 et seq.), or

(3) A person within the purview of the Missing Persons Act of March 7, 1942 (56 Stat. 143) as amended, (56 Stat. 143, as amended; 50 U. S. C. App. and Sup. 1001 et seq.), or

(4) A regularly appointed, enrolled, enlisted, or inducted member of any military or naval force.

§ 507.34 Such government. "Such government" means the Imperial Japanese government or any agent or employee thereof who, in the Philippine Islands or other such place subsequent to December 7, 1941, engaged in any military or civil activities designed to further the prosecution of its war against the United States.

§ 507.35 Voluntarily. "Voluntarily" means to have acted freely and willingly, without coercion, duress or constraint and without imminent peril of substantial punitive action against the person.

§ 507.36 Collaborated with. A civilian American citizen shall be deemed to have collaborated with such government when he so acted as to give aid or assistance to such government whether military, political, intellectual or economic in nature, with or without adherence to such government, and when such acts were not such as to be within the duty of obedience which inhabitants of occupied territory owe the military occupant, under recognized international law.

§ 507.37 Gave aid to. A civilian American citizen shall be deemed to have given aid to such government when by an overt act on his part he furthered the hostile designs of such government or strengthened or tended to strengthen such government in the prosecution of its war against the United States.

§ 507.38 In any manner served. A civilian American citizen shall be deemed to have in some manner served such government when he performed any service for such government which aided or tended to aid it, or which anticipated its desires, or which furthered or implemented its ends and purposes, and which was beyond services to which such government was entitled to demand or require as transactions in the ordinary course of civil society as a military occupant.

PART 508—PAYMENT

Sec.

508.1 The War Claims Fund.

508.2 Payments under the War Claims Act.

508.3 Payment of awards to certain members of religious organizations.

508.4 Payment of fees.

AUTHORITY: §§ 508.1 to 508.4 issued under sec. 2 (c), 62 Stat. 1240; 50 U. S. C. App., Sup., 2001 (c).

§ 508.1 The War Claims Fund. There is created on the books of the Treasury of the United States, a trust fund known as the War Claims Fund, which consists of all sums covered into the Treasury pursuant to the provisions of section 39 of the Trading With the Enemy Act of October 6, 1917 (40 Stat. 411), as amended, the monies of which fund are available for expenditure as provided in other sections of the War Claims Act.

§ 508.2 Payments under the War Claims Act—(a) Living prisoners of war or living civilian American citizens. Any award made to a living prisoner of war for compensation, or to a living civilian American citizen for detention benefits will be certified to the Treasurer of the United States for payment to the person entitled thereto or to his legal or natural guardian;

(b) Survivors of deceased prisoners of war or deceased civilian American citizens. Awards made to the survivors of

deceased prisoners of war, or survivors of deceased civilian American citizens will be certified to the Secretary of the Treasury for payment to the individual members of the class or classes of survivors entitled thereto in the full amount of the share to which each survivor is entitled or to the legal or natural guardian of such person or persons;

(c) Religious organizations. Any award made to a religious organization under the provisions of section 7 of the act will be certified to the Secretary of the Treasury for payment in the full amount to such organization in its corporate name, or to such officer or officers thereof as are properly and lawfully designated by the organization.

§ 508.3 Payment of awards to certain members of religious organizations. Pursuant to the provisions contained in section 14 of the act, when an award is made to any person who is prevented from accepting such money by the rules, regulations or customs of the church, religious order or organization of which he is a member, certification for the payment of such award to such church, religious order or organization will be made by the Commission to the Secretary of the Treasury upon the written request of such person.

§ 508.4 Payment of fees. Fees of attorneys or agents will not be deducted in whole or in part from the amount awarded to any claimant. The Commission reserves the right to withhold certification for payment of any award to any claimant represented by an attorney or agent until it is satisfied that the provisions of the act, relative to fees for services rendered, or any rule or regulation adopted by the Commission have been or will be complied with.

DANIEL F. CLEARY,
Chairman, War Claims Commission.
[F. R. Doc. 49-10546; Filed, Dec. 29, 1949;
8:50 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing
Administration

MONTANA LIVESTOCK AUCTION CO. ET AL.

POSTING OF STOCKYARDS

The Secretary of Agriculture has information that the stockyards, listed below, are stockyards as defined by section 302 of the Packers and Stockyards Act, 1921, as amended (7 U. S. C. 202), and should be made subject to the provisions of that act:

Montana Livestock Auction Co., Butte, Mont.

Glasgow Livestock Sales Company, Glasgow, Mont.

Glendive Livestock Commission Company, Inc., Glendive, Mont.

Havre Livestock Commission Company, Havre, Mont.

Yellowstone Livestock Commission Company, Inc., Sidney, Mont.

Therefore, notice is hereby given that the Secretary of Agriculture proposes to issue a rule designating the stockyards named above as posted stockyards subject to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U. S. C. 181 et seq.), as is provided in Section 302 of that act. Any interested person who desires to do so may submit within 15 days of the publication of this notice any data, views or argument, in writing, on the proposed rule to the Director, Livestock Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C.

Done at Washington, D. C., this 27th day of December 1949.

[SEAL] H. E. REED,
Director, Livestock Branch, Production and Marketing Administration.

[F. R. Doc. 49-10558; Filed, Dec. 29, 1949;
8:50 a. m.]

17 CFR, Part 521

CANNED PINEAPPLE

UNITED STATES STANDARDS FOR GRADES¹

Notice is hereby given, pursuant to the authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087; 7 U. S. C. 1621 et seq.) and the Department of Agriculture Appropriation Act, 1950 (Pub. Law 146, 81st Cong., approved June 29, 1949), that the United States Department of Agriculture is considering the revision, as herein proposed, of the current United States Standards for Grades of Canned Pineapple. This revision, if made effective, will be the third issue by the Department of standards for this product.

¹The requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act.

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposed revision should file the same, in duplicate, with the Chief, Processed Products Standardization and Inspection Division, Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C., not later than 30 days after publication hereof in the *FEDERAL REGISTER*.

The proposed revision is as follows:

§ 52.567 Canned pineapple. Canned pineapple is prepared from the properly matured fruit of the pineapple plant (*Ananas sativus* or *Ananas comosus*) which fruit is peeled, cored, trimmed, and washed; may be packed with or without packing media; may be packed with or without the addition of sweetening ingredients; is sufficiently processed by heat to assure preservation of the product; and is packed in containers which are hermetically sealed.

(a) *Styles of canned pineapple.* (1) "Sliced" or "slices" of pineapple consist of whole, practically unbroken slices of pineapple that have been cut approximately at right angles to the vertical axis of the fruit.

(2) "Half sliced" or "half slices" of pineapple are portions of slices of pineapple that are matched in size so that two portions are approximately equivalent to a slice.

(3) "Broken sliced" or "broken slices" of pineapple consist of varying sized portions of slices which have approximately the same measurement along the radial axis from the inside arc to the outside arc.

(4) "Tidbits" of pineapple are small, wedge-shaped sections cut from slices or portions of slices of pineapple. The approximate measurements of such sectors are: (i) Length of outside arc, more than $\frac{3}{8}$ inch but not more than $\frac{3}{4}$ inch; (ii) thickness, more than $\frac{3}{8}$ inch but not more than $\frac{1}{2}$ inch; and (iii) length (measured along the radius from the inside arc to outside arc), more than $\frac{3}{4}$ inch but not more than $1\frac{1}{4}$ inches.

(5) "Chunks" of pineapple are large pieces of pineapple which may or may not be uniform in shape and do not exceed $1\frac{1}{2}$ inches in any dimension. The approximate measurements of such pieces if wedge-shaped are: (i) Length of outside arc more than $\frac{3}{4}$ inch; (ii) thickness, more than $\frac{1}{2}$ inch; and (iii) length (measured along the radius from the inside arc to outside arc), more than 1 inch. Such pieces that are not wedge-shaped may be predominantly of irregular shapes and do not have the appearance of any uniformly cut unit, such as cubes or tidbits.

(6) "Cubes" or "diced" pineapple consist of approximate cube-shaped pieces, not exceeding $\frac{1}{8}$ of an inch on any straight edge dimension.

(7) "Vertical cuts" of pineapple are longitudinal sections cut from the prepared cylinder of pineapple.

(8) "Crushed" pineapple is pineapple that has been cut, shredded, or crushed

into a predominantly comminuted form, and that is not identifiable as fine cut pineapple.

(9) "Fine cut" pineapple is pineapple that has been cut or shredded into predominantly small, irregularly shaped pieces that do not have the appearance of any regularly cut unit, such as diced, and that is not identifiable as crushed pineapple.

(b) *Grades of canned pineapple.* (1) "U. S. Grade A" or "U. S. Fancy" is the quality of sliced, tidbits, chunks, cubes, vertical cuts, crushed, or fine cut canned pineapple that possesses a good color; that is practically uniform in size and shape; that is practically free from defects; that possesses a good character; that possesses a good normal flavor and odor; and that scores not less than 90 points when scored in accordance with the scoring system outlined in this section.

(2) "U. S. Grade B" or "U. S. Choice" is the quality of sliced, tidbits, chunks, cubes, vertical cuts, crushed, or fine cut canned pineapple that possesses a reasonably good color; that is reasonably uniform in size and shape; that is reasonably free from defects; that possesses a reasonably good character; that possesses a normal flavor and odor; and that scores not less than 80 points when scored in accordance with the scoring system outlined in this section.

(3) "U. S. Grade C" or "U. S. Standard" is the quality of half slices and broken slices of canned pineapple that possesses a reasonably good color; that is fairly uniform in size and shape; that is reasonably free from defects; that possesses a reasonably good character; that possesses a normal flavor and odor; and that scores not less than 70 points when scored in accordance with the scoring system outlined in this section.

(4) "U. S. Grade D" or "Substandard" is the quality of sliced, tidbits, chunks, cubes, vertical cuts, crushed, or fine cut canned pineapple that fails to meet the requirements of U. S. Grade B or U. S. Choice; or the quality of half slices or broken slices of canned pineapple that fails to meet the requirements of U. S. Grade C or U. S. Standard.

(c) *Recommended designations of liquid media and Brix measurements.* "Cut-out" requirements for liquid media or packing media are not incorporated in the grades of the finished product since syrup or any other liquid medium or sugar, as such, is not a factor of quality for the purpose of these grades.

(1) It is recommended that canned pineapple have the following indicated "cut-out" Brix measurement for the respective designation, which designations include, but are not limited to, the following:

Designations for all styles except "crushed" and "fine cut" *Brix measurement*
Extra heavy syrup..... 22° or more, but not more than 35°.
Heavy syrup..... 18° or more, but less than 22°.

Designations for all styles except "crushed" and "fine cut" *Brix measurement*
Light syrup..... 15° or more, but less than 18°.

Designation for "crushed" and "fine cut"
Sweetened extra 22° or more, but not heavy, more than 35°.
Sweetened heavy..... 18° or more, but less than 22°.

(d) *Recommended fill of container.* The recommended fill of container is not incorporated in the grades of the finished product since fill of container, as such, is not a factor of quality for the purpose of these grades. It is recommended that each container of canned pineapple be filled as full as practicable without impairment of quality and that the product and packing medium, if any, occupy not less than 90 percent of the total capacity of the container.

(e) *Recommended drained weight.* The drained weight recommendations for the various styles in Table No. I, Table No. II, and Table No. III of this section are not incorporated in the grades of the finished product since drained weight, as such, is not a factor of quality for the purpose of these grades. The drained weight of canned pineapple is determined by emptying the contents of the container upon a circular sieve of proper diameter containing 8 meshes to the inch (0.097-inch square openings) so as to distribute the product evenly, inclining the sieve slightly to facilitate drainage, and allowing to drain for two minutes. A sieve 8 inches in diameter is used for the equivalent of No. 3 size cans (404 x 414) and smaller, and a sieve 12 inches in diameter is used for containers larger than the equivalent of the No. 3 size can.

TABLE I—RECOMMENDED DRAINED WEIGHTS FOR SLICED, HALF SLICES, AND BROKEN SLICES

Container designation	Container size—over-all dimensions		Sliced	Half slices	Broken slices
	Width	Height			
300 x 204.....	Inches 3	$2\frac{1}{4}$ to $2\frac{3}{4}$	Ounces 4		
No. 1 flat.....	$3\frac{1}{4}$ to $3\frac{3}{4}$	$2\frac{1}{4}$ to $2\frac{3}{4}$		$5\frac{1}{4}$	
Buffet.....	$2\frac{1}{4}$ to $2\frac{3}{4}$	$3\frac{1}{4}$ to $3\frac{3}{4}$			
211 cylinder.....	$2\frac{1}{4}$ to $2\frac{3}{4}$	$4\frac{1}{4}$ to $4\frac{3}{4}$			
No. 1/4.....	$4\frac{1}{4}$ to $4\frac{3}{4}$	$27\frac{1}{4}$ to $27\frac{3}{4}$		$9\frac{1}{4}$	$9\frac{1}{4}$
No. 2.....	$3\frac{1}{4}$ to $3\frac{3}{4}$	$4\frac{1}{4}$ to $4\frac{3}{4}$		$12\frac{1}{4}$	$12\frac{1}{4}$
No. 2½.....	$4\frac{1}{4}$ to $4\frac{3}{4}$	$4\frac{1}{4}$ to $4\frac{3}{4}$		18	18
No. 10.....	$6\frac{1}{4}$ to 7	7		$61\frac{1}{4}$	$62\frac{1}{4}$

TABLE II—RECOMMENDED DRAINED WEIGHTS FOR CHUNKS, CUBES, AND VERTICAL CUTS

Container designation	Container size—over-all dimensions		Chunks	Cubes	Vertical cuts
	Width	Height			
300 x 204.....	Inches 3	$2\frac{1}{4}$ to $2\frac{3}{4}$	Ounces 4	4	
No. 1 flat.....	$3\frac{1}{4}$ to $3\frac{3}{4}$	$2\frac{1}{4}$ to $2\frac{3}{4}$		5	
Buffet.....	$2\frac{1}{4}$ to $2\frac{3}{4}$	$3\frac{1}{4}$ to $3\frac{3}{4}$		6	
211 cylinder.....	$2\frac{1}{4}$ to $2\frac{3}{4}$	$4\frac{1}{4}$ to $4\frac{3}{4}$		$7\frac{1}{4}$	$7\frac{1}{4}$
No. 1/4.....	$4\frac{1}{4}$ to $4\frac{3}{4}$	$27\frac{1}{4}$ to $27\frac{3}{4}$		$9\frac{1}{4}$	$9\frac{1}{4}$
No. 2.....	$3\frac{1}{4}$ to $3\frac{3}{4}$	$4\frac{1}{4}$ to $4\frac{3}{4}$		$12\frac{1}{4}$	$12\frac{1}{4}$
No. 2½.....	$4\frac{1}{4}$ to $4\frac{3}{4}$	$4\frac{1}{4}$ to $4\frac{3}{4}$		$18\frac{1}{4}$	$18\frac{1}{4}$
No. 10.....	$6\frac{1}{4}$ to 7	7		$65\frac{1}{4}$	$71\frac{1}{4}$

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TABLE III—RECOMMENDED DRAINED WEIGHTS FOR TIDBITS, CRUSHED, AND FINE CUT

Container designation	Container size—over-all dimensions		Tidbits	Crushed and Fine Cut		
	Width	Height		Regular pack	Heavy pack	Solid pack
300 x 204	Inches	Inches	Ounces	Ounces	Ounces	Ounces
No. 1 flat	3	2 $\frac{1}{4}$	4	4 $\frac{1}{4}$	—	—
Buffet	3 $\frac{1}{2}$	2 $\frac{3}{4}$	5	6	—	—
211 cylinder	2 $\frac{1}{4}$	3 $\frac{1}{4}$	6	7	—	—
No. 1 $\frac{1}{4}$	4 $\frac{1}{2}$	4 $\frac{1}{4}$	7 $\frac{1}{4}$	9	—	—
No. 2	4 $\frac{1}{2}$	2 $\frac{7}{8}$	9 $\frac{1}{4}$	9 $\frac{1}{4}$	—	—
No. 2 $\frac{1}{2}$	3 $\frac{1}{2}$	4 $\frac{1}{2}$	12 $\frac{1}{4}$	13 $\frac{1}{4}$	—	—
No. 10	6 $\frac{1}{4}$	7	65 $\frac{1}{4}$	72 $\frac{1}{4}$	79	85 $\frac{1}{4}$

(f) Recommended count and size of slices and half slices. The recommended number of slices and half slices, together with the recommended approximate thickness and diameter for the respective counts per container, are shown in Table No. IV for the most common container sizes for these styles:

TABLE NO. IV

Container designation	Slices	Half slices	Approximate thickness of slices and half slices	Approximate diameter of slices and half slices	Approximate diameter of core holes
	Minimum per can	Minimum per can	and half slices	and half slices	
300 x 204	4	—	Inches	Inches	Inches
No. 10	57	—	5 $\frac{1}{2}$	2 $\frac{1}{2}$	1 $\frac{1}{2}$ to 1 $\frac{3}{4}$
No. 1 flat	4	—	5 $\frac{1}{2}$	2 $\frac{1}{2}$	1 $\frac{1}{2}$ to 1 $\frac{3}{4}$
No. 2	10	20	5 $\frac{1}{2}$	2 $\frac{1}{2}$	1 $\frac{1}{2}$ to 1 $\frac{3}{4}$
No. 10	50	—	5 $\frac{1}{2}$	2 $\frac{1}{2}$	1 $\frac{1}{2}$ to 1 $\frac{3}{4}$
No. 1 $\frac{1}{4}$	4	8	5 $\frac{1}{2}$	3 $\frac{1}{2}$	1 $\frac{1}{2}$ to 1 $\frac{3}{4}$
No. 2 $\frac{1}{2}$	8	16	5 $\frac{1}{2}$	3 $\frac{1}{2}$	1 $\frac{1}{2}$ to 1 $\frac{3}{4}$
No. 10	28	—	5 $\frac{1}{2}$	3 $\frac{1}{2}$	1 $\frac{1}{2}$ to 1 $\frac{3}{4}$

(g) Ascertaining the grade. (1) The grade of canned pineapple may be ascertained by considering, in addition to the foregoing requirements of the respective grade, the respective ratings for the factors of color, uniformity of size and shape, absence of defects, and character. The relative importance of each factor is expressed numerically on the scale of 100. The maximum number of points that may be given for each factor is:

Factors	Points
(i) Color	20
(ii) Uniformity of size and shape	20
(iii) Absence of defects	30
(iv) Character	30
Total score	100

(h) Ascertaining the rating for each factor. The essential variations within each factor are so described that the value may be ascertained for each factor and expressed numerically. The numerical range within each factor is inclusive (for example, "18 to 20 points" means 18, 19, or 20 points).

(1) Color. (i) Sliced, tidbits, chunks, cubes, vertical cuts, crushed, or fine cut canned pineapple that possesses a good color may be given a score of 18 to 20 points. "Good color" means that the color of the pineapple units or mass is bright, is characteristic of properly ripened and properly matured pineapple of similar varietal characteristics; and that there may be slight variations in shades of such characteristic color in the units, within each unit, or within the

mass, and that white radiating streaks may be present, provided that such variations do not materially affect the appearance of the product.

(ii) Sliced, tidbits, chunks, cubes, vertical cuts, crushed, or fine cut canned pineapple that possesses a reasonably good color may be given a score of 16 or 17 points. Canned pineapple that falls into this classification shall not be graded above U. S. Grade B or U. S. Choice, regardless of the total score for the product (this is a limiting rule). "Reasonably good color" means that the color of the pineapple units or mass may be slightly dull but is characteristic of properly matured pineapple of similar varietal characteristics; and that there may be marked variations in shades of such characteristic color in the units, within each unit, or within the mass, and that white radiating streaks may be present, provided that such variations do not seriously affect the appearance of the product.

(iii) Half slices and broken slices of canned pineapple that possesses a reasonably good color may be given a score of 14 or 15 points. Canned pineapple that falls into this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product. "Reasonably good color" means that the color of the pineapple units may be slightly dull but is characteristic of properly matured pineapple of similar varietal characteristics; and that there may be marked variations in shades of such characteristic color in the units or within each unit, and that white radiating streaks may be present, provided that such variations do not seriously affect the appearance of the product.

(iv) Sliced, tidbits, chunks, cubes, vertical cuts, crushed, or fine cut canned pineapple that for any reason is off color or that fails to meet the requirements of subdivision (ii) of this subparagraph, and half slices or broken slices of canned pineapple that for any reason is off color or that fails to meet the requirements of subdivision (iii) of this subparagraph, may be given a score of 0 to 13 points and shall not be graded above U. S. Grade D or Substandard, regardless of the total score for the product (this is a limiting rule).

(2) Uniformity of size and shape. (i) Sliced, tidbits, chunks, cubes, vertical cuts, crushed, or fine cut canned pineapple that is practically uniform in size and shape may be given a score of 18 to 20 points. "Practically uniform in size and shape" has the following mean-

ings with respect to the following styles of canned pineapple:

Sliced. The diameter of the slice with the longest diameter does not exceed the diameter of the slice with the shortest diameter by more than $\frac{1}{16}$ inch.

The thickness of the slice with the widest thickness at the circumference does not exceed the thickness of the slice with the most narrow thickness at the circumference by more than $\frac{1}{16}$ inch.

The maximum radial axis of any slice does not exceed the minimum radial axis of the same slice by more than $\frac{1}{8}$ inch. "Radial axis" means the measurement along the radius from the inside arc to the outside arc.

Tidbits. Not more than 10 percent by weight of the units may fail to conform to any one or more of the following dimensions:

Length of outside arc, more than $\frac{3}{8}$ inch but not more than $\frac{3}{4}$ inch;
Thickness, more than $\frac{1}{8}$ inch but not more than $\frac{1}{2}$ inch;
Length (measured along the radius from the inside arc to outside arc), more than $\frac{3}{4}$ inch but not more than $1\frac{1}{4}$ inches.

Chunks. (a) If predominantly wedge-shaped or if predominantly of a similar distinct shape, none of the pieces may exceed $1\frac{1}{2}$ inches in any dimension and not less than an aggregate of 90 percent by weight of the units consist of pieces which (1) weigh more than $\frac{1}{16}$ of an ounce each and (2) exceed at least one of the following dimensions:

Length of outside arc, $\frac{3}{4}$ inch;
Thickness, $\frac{1}{2}$ inch;
Length (measured along the radius from the inside arc to outside arc), 1 inch;

or (b) if predominantly of irregular sizes and shapes, none of the pieces may exceed $1\frac{1}{2}$ inches in any dimension and not less than 90 percent by weight of the units consist of pieces which weigh more than $\frac{1}{16}$ of an ounce each.

Cubes. Not more than 10 percent by weight of the units may consist of pieces which weigh more than $\frac{1}{16}$ of an ounce each.

Vertical cuts. The units are of substantially equal length and not more than 10 percent by count of the units, or not more than one unit in a container of less than 10 units, may be less than $\frac{3}{8}$ inch or more than $1\frac{1}{4}$ inches in the longest dimension edge other than any longitudinal measurement.

Crushed. The mass of crushed pineapple is of reasonably uniform divided particles, with more than 80 percent by weight of the drained pineapple of particle sizes that could pass through a $\frac{5}{16}$ inch square opening.

Fine cut. Not more than 20 percent by weight of the drained pineapple may consist of pieces that are more than $\frac{3}{8}$ inch in any dimension and pieces that are of particle sizes that could pass through a $\frac{5}{16}$ inch square opening.

(ii) If the sliced, tidbits, chunks, cubes, vertical cuts, crushed, or fine cut canned pineapple is reasonably uniform in size and shape, a score of 16 or 17 points may be given. Canned pineapple that falls into this classification shall not be graded above U. S. Grade B or U. S. Choice, regardless of the total score for the product (this is a limiting rule). "Reasonably

"uniform in size and shape" has the following meanings with respect to the following styles of canned pineapple:

Sliced. The diameter of the slice with the longest diameter does not exceed the diameter of the slice with the shortest diameter by more than $\frac{1}{8}$ inch.

The thickness of the slice with the widest thickness at the circumference does not exceed the thickness of the slice with the most narrow thickness at the circumference by more than $\frac{1}{8}$ inch.

The maximum radial axis of any slice does not exceed the minimum radial axis of the same slice by more than $\frac{1}{4}$ inch. "Radial axis" means the measurement along the radius from the inside arc to the outside arc.

The weight of the largest slice does not exceed the weight of the smallest slice by more than 1.33.

Tidbits. Not more than 20 percent by weight of the units may fail to conform to any one or more of the following dimensions:

Length of outside arc, more than $\frac{3}{8}$ inch but not more than $\frac{3}{4}$ inch;

Thickness, more than $\frac{3}{8}$ inch but not more than $\frac{1}{2}$ inch;

Length (measured along the radius from the inside arc to outside arc), more than $\frac{3}{4}$ inch but not more than $1\frac{1}{4}$ inches.

Chunks. (a) If predominantly wedge-shaped or if predominantly of a similar distinct shape, none of the pieces may exceed $1\frac{1}{2}$ inches in any dimension; not less than 85 percent by weight of the units consist of pieces which weigh more than $\frac{1}{16}$ of an ounce each; and not less than 80 percent by weight of the units exceed at least one of the following dimensions:

Length of outside arc, $\frac{3}{4}$ inch;

Thickness, $\frac{1}{2}$ inch;

Length (measured along the radius from the inside arc to outside arc), 1 inch;

or (b) if predominantly of irregular sizes and shapes, none of the pieces may exceed $1\frac{1}{2}$ inches in any dimension and not less than 85 percent by weight of the units consist of pieces which weigh more than $\frac{1}{16}$ of an ounce each.

Cubes. Not more than 15 percent by weight of the units may consist of pieces which weigh more than $\frac{1}{16}$ of an ounce each.

Vertical cuts. The units are of reasonably uniform length; not more than 20 percent by count of the units, or not more than one unit in a container of less than 5 units, may be less than $\frac{3}{4}$ inch or more than $1\frac{1}{4}$ inch in the longest dimension edge other than any longitudinal measurement; and the weight of the largest vertical cut does not exceed the weight of the smallest vertical cut by more than 1.33.

Crushed. The mass of crushed pineapple is of fairly uniform divided particles, with more than 60 percent by weight of the drained pineapple of particle sizes that could pass through a $\frac{5}{16}$ inch square opening.

Fine cut. Not more than 40 percent by weight of the drained pineapple may consist of pieces that are more than $\frac{3}{4}$ inch in any dimension and pieces that are of particle sizes that could pass through a $\frac{5}{16}$ inch square opening.

(iii) If the canned pineapple consists of half slices or broken slices that are fairly uniform in size and shape, a score of 14 or 15 points may be given. Canned pineapple that falls into this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule). "Fairly uniform in size and shape" has the following meaning with respect to, and applies only to, the following styles:

Half slices. Not more than an aggregate of 10 percent by count of the units, or not more than 1 unit in a container of less than 10 units, may consist of portions that are smaller or larger than an approximate half slice, may consist of portions that do not have approximately the same measurement at the radial axis or do not have approximately the same thickness as contrasted with the measurements of the predominating half slices; and the weight of the largest unit does not exceed the weight of the smallest approximate half slice by more than 1.66. "Radial axis" means the measurement along the radius from the inside arc to the outside arc.

Broken slices. Not more than an aggregate of 10 percent by weight of the units may consist of portions that are smaller than one-fourth of a slice, may consist of portions that are larger than three-fourths of a slice, or may consist of portions that do not have approximately the same measurement at the radial axis or do not have approximately the same thickness as contrasted with the measurements of the predominating broken slices. "Radial axis" means the measurement along the radius from the inside arc to the outside arc.

(iv) Sliced, tidbits, chunks, cubes, vertical cuts, crushed, or fine cut canned pineapple that fails to meet the requirements of subdivision (ii) of this subparagraph, and half slices or broken slices that fail to meet the requirements of subdivision (iii) of this subparagraph, may be given a score of 0 to 13 points and shall not be graded above U. S. Grade D or Substandard, regardless of the total score for the product (this is a limiting rule).

(3) **Absence of defects.** The factor of absence of defects refers to the degree of freedom from units that are blemished and from units that are excessively trimmed, broken, or crushed for the applicable style; and from any other defects which detract from the appearance or edibility of the product.

(i) "Crushed" means that a unit in sliced, half sliced, broken sliced, tidbits, chunks, or vertical cuts of canned pineapple has been seriously crushed so that the unit is not of normal shape.

(ii) "Excessively trimmed" means that a unit in sliced, half sliced, broken sliced, or vertical cuts of canned pineapple has been so trimmed that it does not retain the apparent original conformation of the prepared unit.

(iii) "Broken" means that a slice or half slice in sliced or half sliced pineapple is definitely severed from core hole to perimeter or that a vertical cut is completely broken into segments.

(iv) "Blemished" means the unit possesses any defect which materially affects the appearance of the unit and includes, but is not limited to, any fruit eye or portions thereof which is more than $\frac{1}{32}$ inch in diameter, deep fruit eyes regardless of area or diameter, brown spots, pieces of shell, bruised portions, or other injury.

(v) Sliced, tidbits, chunks, cubes, vertical cuts, crushed, or fine cut canned pineapple that is practically free from defects may be given a score of 27 to 30 points. "Practically free from defects" means that the product is practically free from any defects not specifically mentioned that affect the appearance or edibility of the product, and, in addition, has the following meanings with respect to the following styles of canned pineapple:

Sliced. None of the slices are crushed; none of the slices are excessively trimmed; not more than 5 percent by count of the slices may be blemished; and not more than 10 percent by count of the slices may be broken in one place only. One slice in a single container is permitted to be blemished or broken if such slice exceeds the respective allowance of 5 percent or 10 percent by count, provided that in all containers comprising the sample such blemished units do not exceed an average of 5 percent by count of the total number of units, and that such broken units do not exceed an average of 10 percent by count of the total number of units.

Tidbits. Not more than 1 percent by count of the units may be crushed and not more than 5 percent by count of the units may be blemished.

Chunks. Not more than $2\frac{1}{2}$ percent by count of the units may be crushed and not more than 5 percent by count of the units may be blemished.

Cubes. Not more than 5 percent by weight of the units may be blemished.

Vertical cuts. None of the vertical cuts are crushed; none of the vertical cuts are excessively trimmed; not more than 5 percent by count of the vertical cuts may be blemished; and not more than 10 percent by count of the vertical cuts may be broken in one place only. One vertical cut in a single container is permitted to be blemished or broken if such vertical cut exceeds the respective allowance of 5 percent or 10 percent by count, provided that in all containers comprising the sample such blemished units do not exceed an average of 5 percent by count of the total number of units, and that such broken units do not exceed an average of 10 percent by count of the total number of units.

Crushed or fine cut. Not more than $\frac{1}{2}$ percent by weight of the drained pineapple may be blemished. In determining the weight of blemished material, the weight of the entire piece which is blemished is included and the percentage based on the drained weight of the crushed or fine cut pineapple.

(vi) If the sliced, tidbits, chunks, cubes, vertical cuts, crushed, or fine cut canned pineapple is reasonably free from defects, a score of 24 to 26 points may be given. Canned pineapple that falls into this classification shall not be

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graded above U. S. Grade B or U. S. Choice, regardless of the total score for the product (this is a limiting rule). "Reasonably free from defects" means that the product is reasonably free from any defects not specifically mentioned that affect the appearance or edibility of the product, and, in addition has the following meanings with respect to the following styles of canned pineapple:

Sliced. Not more than 3 units in containers of more than 25 units or not more than 1 unit in containers of 25 units or less may be crushed; none of the slices are excessively trimmed; not more than 12½ percent by count of the slices may be blemished; and not more than 25 percent by count of the slices may be broken only in one or two places per slice. One slice in a single container is permitted to be blemished and 1 slice is permitted to be broken if such slices exceed the respective allowance of 12½ percent by count and 25 percent by count, provided that in all containers comprising the sample such blemished units do not exceed an average of 12½ percent by count of the total number of units, and that such broken units do not exceed an average of 25 percent by count of the total number of units.

Tidbits. Not more than 3 units in containers of less than 150 units or not more than 2 percent by count of the units in containers of 150 or units may be crushed; and not more than 12½ percent by count of the units may be blemished.

Chunks. Not more than 3 units in containers of less than 70 units or not more than 5 percent by count of units in containers of 70 or more chunks or portions thereof may be crushed; and not more than 12½ percent by count of the units may be blemished.

Cubes. Not more than 12½ percent by weight of the units may be blemished.

Vertical cuts. Not more than 1 unit in a container may be crushed; none of the vertical cuts are excessively trimmed; not more than 12½ percent by count of the vertical cuts may be blemished; and not more than 25 percent by count of the vertical cuts may be broken only in one or two places per cut. One vertical cut in a single container is permitted to be blemished and 1 vertical cut is permitted to be broken if such cuts exceed the respective allowance of 12½ percent by count and 25 percent by count, provided that in all containers comprising the sample such blemished units do not exceed an average of 12½ percent by count of the total number of units, and that such broken units do not exceed an average of 25 percent by count of the total number of units.

Crushed or fine cut. Not more than ¾ percent by weight of the drained pineapple may be blemished. In determining the weight of blemished material, the weight of the entire piece which is blemished is included and the percentage based on the drained weight of the crushed or fine cut pineapple.

(vii) If the canned pineapple consists of half slices or broken slices that are reasonably free from defects, a score of

21 to 23 points may be given. Canned pineapple that falls into this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule). "Reasonably free from defects" means that the product is reasonably free from any defects not specifically mentioned that affect the appearance or edibility of the product, and, in addition has the following meanings with respect to, and applies only to, the following styles:

Half slices. Not more than 3 units in containers of more than 25 units or not more than 1 unit in containers of 25 units or less may be crushed; none of the half slices are excessively trimmed; and not more than 12½ percent by count of the units may be blemished; and not more than 25 percent by count of the half slices may be broken only in one place per unit. One unit in a single container is permitted to be blemished and one-half slice is permitted to be broken if such unit and half slice exceed the respective allowance of 12½ percent and 25 percent by count, provided that in all containers comprising the sample such blemished units do not exceed an average of 12½ percent by count of the total number of units, and that such broken units do not exceed an average of 25 percent by count of the total number of units.

Broken slices. Not more than 5 percent by count of the units may be crushed; none of the broken slices are excessively trimmed; and not more than 12½ percent by count of the units may be blemished.

(viii) *Sliced, tidbits, chunks, cubes, vertical cuts, crushed, or fine cut* canned pineapple that fails to meet the requirements of subdivision (vi) of this subparagraph, and half slices or broken slices that fail to meet the requirements of subdivision (vii) of this subparagraph, may be given a score of 0 to 20 points and shall not be graded above U. S. Grade D or Substandard, regardless of the total score for the product (this is a limiting rule).

(4) *Character.* The factor of character refers to the degree of ripeness and maturity, the texture of the fruit, and the degree of freedom from fibrous or core material. Fibrous or core material shall not be considered unless such material may be definitely identified as hard or fibrous and characteristic of the center structure of pineapple. In determining the weight of fibrous or core material, such portions are cut cleanly from the rest of the fruit.

(i) *Sliced, tidbits, chunks, cubes, vertical cuts, crushed, or fine cut* canned pineapple that possesses a good character may be given a score of 27 to 30 points. "Good character" has the following meanings with respect to the following styles of canned pineapple:

Sliced. The slices are of practically uniform ripeness, may be reasonably firm with the fruitlets appearing as a compact structure, are reasonably free from porosity; and not more than 12½ percent by count of the slices, or not

more than 1 unit in a container of less than 8 units, may possess fibrous or core material, which, on one horizontal surface, extends more than ½ inch but not more than ¼ inch at any point from the core hole arc toward the perimeter around more than one-third of the core hole arc, provided the aggregate weight of fibrous or core material does not exceed ½ ounce for each 12 ounces of drained pineapple.

Tidbits, chunks, cubes, vertical cuts, crushed, or fine cut. The units are of practically uniform ripeness, the fruitlets appear as a compact structure, the units are reasonably free from porosity; and the aggregate weight of fibrous or core material does not exceed ½ ounce for each 12 ounces of drained pineapple.

(ii) If the sliced, tidbits, chunks, cubes, vertical cuts, crushed, or fine cut canned pineapple possesses a reasonably good character, a score of 24 to 26 points may be given. Canned pineapple that falls into this classification shall not be graded above U. S. Grade B or U. S. Choice, regardless of the total score for the product (this is a limiting rule). "Reasonably good character" has the following meanings with respect to the following styles of canned pineapple:

Sliced. The slices are of reasonably uniform ripeness, the fruitlets are reasonably compact in structure, the slices are fairly free from porosity; and not more than 25 percent by count of the slices, or not more than 1 unit in a container of less than 4 units, may possess fibrous or core material, which, on one horizontal surface, extends more than ½ inch but not more than ¼ inch at any point from the core hole arc toward the perimeter around more than one-third of the core hole arc, provided the aggregate weight of fibrous or core material does not exceed ½ ounce for each 12 ounces of drained pineapple.

Tidbits, chunks, cubes, vertical cuts, crushed, or fine cut. The units are of reasonably uniform ripeness, the fruitlets are reasonably compact in structure, the units are fairly free from porosity; and the aggregate weight of fibrous or core material does not exceed ½ ounce for each 12 ounces of drained pineapple.

(iii) *Half slices and broken slices.* Canned pineapple that falls into this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule). "Reasonably good character" has the following meaning with respect to the following styles:

Half slices and broken slices. The units are of reasonably uniform ripeness, the fruitlets are reasonably compact in structure, the units are fairly free from porosity; and the aggregate weight of fibrous or core material does not exceed ½ ounce for each 12 ounces of drained pineapple.

(iv) *Sliced, tidbits, chunks, cubes, vertical cuts, crushed, or fine cut* canned pineapple that fails to meet the requirements of subdivision (ii) of this subparagraph, and half slices or broken slices that fail to meet the requirements of

subdivision (iii) of this subparagraph, may be given a score of 0 to 20 points and shall not be graded above U. S. Grade D or Substandard, regardless of the total score for the product (this is a limiting rule).

(i) *Tolerances for certification of officially drawn samples.* (1) When certifying samples that have been officially drawn and which represent a specific lot of canned pineapple, the grade for such lot will be determined by averaging the total scores of the containers comprising the sample, if:

(i) Not more than one-sixth of such containers fails to meet all the requirements of the grade indicated by the average of such total scores, and, with respect to such containers which fail to meet the requirements of the indicated grade by reason of a limiting rule, the average score of all containers in the sample for the factor, subject to such limiting rule, is within the range for the grade indicated;

(ii) None of the containers comprising the sample falls more than 4 points below the minimum score for the grade indicated by the average of the total scores; and

(iii) All containers comprising the sample meet all applicable standards of quality promulgated under the Federal Food, Drug, and Cosmetic Act and in effect at the time of the aforesaid certification.

(j) *Score sheet for canned pineapple.*

Size and kind of container	
Container mark or identification	
Label	
Net weight (in ounces)	
Vacuum (in inches)	
Drained weight (ounces)	
Brix measurement	
Sirup designation (Extra heavy, heavy, etc.)	
Style	
Count	
Approximate sizes—Slices or half slices	
Thickness	
Diameter	
Diameter of core hole	
Factors	Score points
I. Color	20
II. Uniformity of size and shape	20
III. Absence of defects	30
IV. Character	30
Total score	100
Flavor and Odor	
Grade	

¹Indicates limiting rule.

Issued this 23d day of December 1949.

[SEAL] JOHN I. THOMPSON,
Assistant Administrator, Production and Marketing Administration.

[F. R. Doc. 49-10560; Filed, Dec. 29, 1949;
8:49 a. m.]

[7 CFR, Part 908]

[Docket No. AO-213]

HANDLING OF IRISH POTATOES GROWN IN CALIFORNIA

NOTICE OF HEARING WITH RESPECT TO PROPOSED MARKETING AGREEMENT AND ORDER

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and in accordance with the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of a public hearing to be held in the Agricultural Building, 2610 M Street, Bakersfield, California, beginning at 9:30 a. m., P. s. t., on January 16, 1950, with respect to a proposed marketing agreement and order regulating the handling of Irish potatoes grown in the State of California (except Modoc and Siskiyou counties). The proposed marketing agreement and order has not received the approval of the Secretary of Agriculture.

The public hearing is for the purpose of receiving evidence with respect to economic and marketing conditions which relate to the provisions of the proposed marketing agreement and order.

The growers and shippers of Irish potatoes in the State of California (not including the counties of Modoc and Siskiyou), as represented by a committee of growers, drafted a proposed marketing agreement and order regulating the handling of potatoes grown in the proposed production area and requested a hearing on the following proposed marketing agreement and order.

§ 908.1 Definitions. As used in this part, the following terms have the following meanings:

(a) "Secretary" means the Secretary of Agriculture of the United States, or any other officer, or member of the United States Department of Agriculture, who is, or may hereafter be authorized to exercise the powers and to perform the duties of the Secretary of Agriculture.

(b) "Act" means Public Act No. 10, 73d Congress, as amended and reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.).

(c) "Person" means an individual, partnership, corporation, association, legal representative, or any organized group or business unit.

(d) "Production area" means all territory, except Modoc and Siskiyou Counties, in the State of California.

(e) "Potatoes" means all varieties of Irish potatoes grown within the production area.

(f) "Handler" is synonymous with shipper and means any person (except a common or contract carrier of potatoes owned by another person) who ships potatoes.

(g) "Ship" or "handle" means to sell, consign, transport, or in any other way to place potatoes in the current of commerce within the production area or between the production area and any point outside thereof: *Provided*, That the movement of potatoes by the producer

thereof from the field where grown to the nearest customary packing shed for preparation for market shall not be deemed to be handling or shipping hereunder.

(h) "Producer" means any person engaged in the production of potatoes for market.

(i) "Fiscal year" means the period beginning on January 1 of each year and ending December 31 following.

(j) "Administrative Committee" means the California Potato Committee established pursuant to § 908.2 (a), and "Marketing Committee" means each of the area committees established pursuant to § 908.2 (a).

(k) "Varieties" means and includes all classifications or subdivisions of Irish potatoes according to those definitive characteristics now or hereafter recognized by the United States Department of Agriculture.

(l) "Seed potatoes" means and includes all potatoes officially certified and tagged, marked, or otherwise appropriately identified, under the supervision of an official seed potato certifying agency of the State of California or other agency recognized by the committee and approved by the Secretary.

(m) "Table stock potatoes" means and includes all potatoes not included within the definition of "seed potatoes."

(n) "Pack" means a unit of potatoes contained in a bag, crate, or other type of container and falling within specific weight limits recommended by the administrative committee and approved by the Secretary.

(o) "Grade" means any one of the officially established grades of potatoes, and "size" means any one of the officially established sizes of potatoes, as defined and set forth in:

(1) The United States Standards for Potatoes issued by the Department of Agriculture on September 10, 1941, effective June 1, 1942 (12 F. R. 3651), or amendments thereto, or modifications thereof, or variations based thereon; or

(2) United States Consumer Standards for Potatoes as issued by the United States Department of Agriculture on November 3, 1947, effective December 8, 1947 (12 F. R. 7281), or amendments thereto, or modifications thereof, or variations based thereon.

(p) "Export" means shipment of potatoes beyond the boundaries of continental United States.

(q) "District" means each one of the geographical divisions of the production area established pursuant to § 908.2.

§ 908.2 Committees—(a) (1) *Administrative Committee.* The California Potato Committee consisting of nine members, all of whom shall be producers and members of a marketing committee hereunder, is hereby established.

(2) *Marketing Committees.* Marketing committees, all of whose members shall be producers, are hereby established as follows:

Area 1 Potato Marketing Committee, to represent producers in Districts 1A, 1B, and 1C, shall consist of seven members;

Area 2 Potato Marketing Committee, to represent producers in Districts 2A, 2B, 2C, and 2D, shall consist of seven members;

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Area 3 Potato Marketing Committee, to represent producers in Districts 3A, 3B, and 3C, shall consist of nineteen members, which initially may be divided into three groups. Each such group shall have full responsibility for recommending grade, size, and quality regulations pursuant to § 908.4 or § 908.5, or both, for area 3 during the periods of the season respectively set forth as follows:

(I) The Early group shall consist of five members and the period for which it may recommend regulations shall be April 1 to May 15 of each season;

(II) The Intermediate group shall consist of seven members and the period for which it may recommend regulation shall be May 16 to July 15 of each season;

(III) The Late group shall consist of seven members and the period for which it may recommend regulation shall be July 16 to March 31 of each season.

Provided, That the committee, as a whole, may recommend, and the Secretary may approve, the number of groups, the number of members in each group, and the portions of the season during which each group may operate during subsequent seasons.

Area 4 Potato Marketing Committee, to represent Districts 4A, 4B, and 4C, shall consist of nine members.

(3) *Committee members or alternates.* For each member of each committee there shall be an alternate who shall have the same qualifications as the member. Persons selected as marketing committee members or alternates shall be individuals who are producers in the respective district for which selected, or officers, or employees of a corporate producer in such district.

(b) *Term of office.* The term of office of administrative or marketing committee members and alternates shall be for two years beginning on the first day of January and continuing until the end of the succeeding fiscal year, and until their successors are selected and have qualified: *Provided, however*, That the terms of office of initial administrative and marketing committee members and alternates shall be determined by the Secretary so that the terms of office of one less than a majority of such initial members and alternates of each such committee, or group thereunder, shall be for one year and the terms of office of the remaining majority of such initial members and alternates of such committee, or group thereunder, shall be for two years. Administrative and marketing committee members and alternates shall serve during the term of office for which they are selected and have qualified, or during that portion thereof beginning on the date on which they qualify during the term of office and continuing until the end thereof, and until their successors are selected and have qualified.

(c) *Selection.* The Secretary shall select (1) members of the Administrative Committee as follows: two from Area 1; two from Area 2; two from Area 4; and three from Area 3; with one member from each of the groups set forth thereunder;

(2) For Area 1 Potato Marketing Committee, five members from District 1A; one member from District 1B, and one member from District 1C;

(3) For Area 2 Potato Marketing Committee, three members from District 2A; one member from 2B; two members from 2C; and one member from 2D;

(4) For Area 3, five members for the Early group who during the past season shipped potatoes during the period April 1 to May 15; seven members for the Intermediate group who during the past season shipped potatoes during the period May 15 to July 15; seven members for the Late group, three of whom shall be from District 3A, three from 3B and one from 3C;

(5) For Area 4 Potato Marketing Committee, one member from District 4A; three from District 4B; and five from District 4C:

Provided, That a person may be a marketing committee member in only one area;

(d) *Districts.* (1) For the purpose of determining the basis for selecting committee members, the following districts of the production area are hereby initially established:

Districts:	Counties
1A	San Joaquin, Alameda, and Contra Costa Counties.
1B	San Francisco, San Mateo, Santa Cruz, Santa Clara, Stanislaus, Tuolumne, Calaveras, and Alpine Counties.
1C	Marin, Sonoma, Napa, Solano, Sacramento, Amador, Eldorado, and all counties lying north thereof in the production area.
2A	Tulare County.
2B	Fresno and Kings Counties.
2C	Madera, Mariposa, and Merced Counties.
2D	Monterey and San Benito Counties.
3A	Kern County.
3B	San Luis Obispo, Santa Barbara, and Ventura Counties.
3C	Mono and Inyo Counties.
4A	Los Angeles, Orange, and San Diego Counties.
4B	San Bernardino County.
4C	Riverside and Imperial Counties.

(2) The Secretary, upon the recommendation of the administrative committee, may reestablish districts within the production area and may reapportion committee membership among the various districts: *Provided*, That in recommending any such changes in districts or representation, the committee shall give consideration to: (i) the relative importance of new production; (ii) changes in the relative position, with respect to production, of existing districts; (iii) the geographic location of production areas as it would affect the efficiency of administering this program; and (iv) other relevant factors.

(e) *Nomination.* The Secretary shall select the members of the Marketing Committees and their respective alternates from nominations which may be made in the following manner:

(1) Nominations for initial members of each marketing committee and their respective alternates may be submitted by producers, or groups thereof, and such nominations may be by virtue of elections conducted by groups of producers.

(2) In order to provide nominations for succeeding marketing committee members and alternates:

(i) The Administrative Committee shall hold or cause to be held 60 days prior to the end of each fiscal year, after the effective date hereof, a meeting or meetings of producers in each of the districts designated in § 908.2 (d);

(ii) At each such meeting at least two nominees shall be designated for each

position as member and for each position as alternate member on the marketing committee serving the district in which the meeting is held.

(iii) Nominations for marketing committee members and alternate members shall be supplied to the Secretary in such manner and form as he may prescribe, not later than 30 days prior to the end of each fiscal year;

(iv) Only producers may participate in designating nominees for marketing committee members and their alternates;

(v) Regardless of the number of districts in which a person produces potatoes, each such person is entitled to cast only one vote on behalf of himself, his agents, subsidiaries, affiliates, and representatives, in designating nominees for marketing committee members and alternates: *Provided*, That in the event a person is engaged in producing potatoes in more than one district, such person shall elect the district within which he may participate as aforesaid in designating nominees: *Provided further*, That an eligible voter's privilege of casting only one vote, as aforesaid, shall be construed to permit a voter to cast one vote for each position to be filled in the respective district in which he elects to vote.

(f) *Failure to nominate.* If nominations are not made within the time and in the manner specified by the Secretary pursuant to paragraph (e) (2) of this section, the Secretary may, without regard to nominations select the marketing committee members and alternates which selection shall be on the basis of the representation provided for herein.

(g) *Acceptance.* Any person selected by the Secretary as an administrative or marketing committee member or as an alternate shall qualify by filing a written acceptance with the Secretary within ten days after being notified of such selection.

(h) *Vacancies.* To fill any vacancy occasioned by the failure of any person selected as an administrative or marketing committee member or as an alternate to qualify, or in the event of the death, removal, resignation, or disqualification of any qualified member or alternate, a successor for his unexpired term may be selected by the Secretary from nominations made in the manner specified in paragraph (e) (2) of this section, or the Secretary may select such committee member or alternate from previously unselected nominees on the current nominee list from the district involved. If the names of nominees to fill any such vacancy are not made available to the Secretary within 30 days after such vacancy occurs, the Secretary may fill such vacancy without regard to nominations, which selection shall be made on the basis of the representation provided for herein.

(i) *Alternate members.* An alternate member of the administrative committee or any marketing committee shall act in the place and stead of the member for whom he is an alternate, during such member's absence. In the event of the death, removal, resignation, or disqualification of a member, his alternate shall act for him until a successor of such member is selected and has qualified.

(j) *Procedure.* (1) (a) A majority of the entire membership of the administrative committee shall be necessary to constitute a quorum. A majority of votes of such membership will be required to pass any motion or approve any action of the administrative committee.

(b) To constitute a quorum of a marketing committee a majority of the entire membership of such committee shall be necessary. To pass a motion or approve any action of a marketing committee a majority of votes of all the members of such committee will be required.

Provided, That for Area 3, each group thereunder shall require a majority of its members to constitute a quorum and a majority of each such group shall be required to pass a motion or approve any action of such group.

(2) Meetings of the administrative or of the marketing committees may be conducted by telephone, telegraph, or other means of communications and any vote cast at such a meeting shall be confirmed promptly in writing: *Provided,* That if any assembled meeting is held, all votes shall be cast in person.

(k) *Expenses and compensation.* Administrative and marketing committee members or their respective alternates when acting as members, shall serve without compensation but shall be reimbursed for expenses necessarily incurred by them in the performance of their duties and in the exercise of their powers hereunder.

(l) *Powers.* (a) The administrative committee shall have the following powers:

(1) To administer the provisions hereof in accordance with its terms;

(2) To make rules and regulations to effectuate the terms and provisions hereof;

(3) To receive, investigate, and report to the Secretary complaints of violation of the provisions hereof; and

(4) To recommend to the Secretary amendments hereto.

(b) The marketing committee shall have the following powers:

(1) To administer the provisions hereof in accordance with its terms;

(2) To make rules and regulations to effectuate the terms and provisions hereof;

(3) To receive, investigate, and report to the Secretary complaints of violation of the provisions hereof; and

(4) To recommend to the Secretary amendments hereto.

(m) *Duties.* (a) It shall be the duty of the administrative committee:

(1) To act as intermediary between the Secretary and any producer or handler;

(2) To select a chairman and such other officers as may be necessary, to select subcommittees of administrative committee members, and to adopt such rules and regulations for the conduct of its business as it may deem advisable;

(3) To appoint such employees, agents, and representatives as it may deem necessary and to determine the salaries and define the duties of each such person;

(4) To investigate, from time to time, and to assemble data on the growing, harvesting, shipping, and marketing conditions with respect to potatoes, and to engage in such research and service activities which relate to the handling or marketing of potatoes as may be approved by the Secretary;

(5) To furnish to the Secretary such available information as he may request;

(6) To keep minutes, books, and records which clearly reflect all of the acts and transactions of the administrative committee and such minutes, books, and records shall be subject to examination at any time by the Secretary or his authorized agent or representative;

(7) To recommend the rate of assessment to cover the expenses set forth in the budget;

(8) At the beginning of each fiscal year, to submit to the Secretary a budget of its expenses and assessments for such fiscal year, together with a report thereon;

(9) To cause the books of the administrative committee to be audited by a competent accountant at least once each fiscal year, and at such other time as such committee may deem necessary or as the Secretary may request. The report of such audit shall show the receipt and expenditure of funds collected pursuant hereto; a copy of each such report shall be furnished to the Secretary and a copy of each such report shall be made available at the principal office of such committee for inspection by producers and handlers; and

(10) To consult, cooperate and exchange information when deemed desirable by the administrative committee with other potato marketing committees and other individuals or agencies in connection with all proper activities and objectives of such committee hereunder.

(b) It shall be the duty of each marketing committee:

(1) To nominate members and alternates for the administrative committee;

(2) To recommend regulations pursuant to §§ 908.4, 908.5, 908.6 or any one or more of them which may be applicable to shipments from the districts served by each such committee;

(3) To act as intermediary between the Secretary and any producer or handler;

(4) To select a chairman and such other officers as may be necessary and to select subcommittees of marketing committee members;

(5) To adopt such rules and regulations for the conduct of its business as it may deem advisable;

(6) To assist the administrative committee in the administration of the provisions hereof;

(7) To investigate, from time to time, and to assemble data on the growing, harvesting, shipping, and marketing conditions with respect to potatoes;

(8) To furnish to the Secretary such available information as he may request;

(9) To consult, cooperate and exchange information when deemed desirable by the marketing committee with other potato marketing committees and other individuals or agencies in connec-

tion with all proper activities and objectives of such committee hereunder.

§ 908.3 Expenses and assessments—

(a) *Budget.* (1) The administrative committee shall prepare a budget for each fiscal year showing its anticipated expenses and a proposed rate of assessment to cover such expenses. The administrative committee shall also transmit a report accompanying the budget showing the basis for its calculation of expenses and the proposed rate of assessment.

(2) The administrative committee is authorized to incur such expenses as the Secretary, upon the basis of the aforesaid budget, or on the basis of other available information, finds may be necessary and appropriate during each fiscal year.

(3) The funds to cover such expenses shall be acquired by the levying on handlers of assessments which shall be at a rate fixed by the Secretary on the basis of the administrative committee recommendation. Each handler who first ships potatoes shall pay assessments to the administrative committee, upon demand, which assessments shall be such handler's pro rata share of the expenses which will be appropriately incurred by such committee during each fiscal year. Such handler's share of such expense shall be proportionate to the ratio between the total quantity of potatoes handled by him as the first handler thereof, during the applicable fiscal year, and the total quantity of potatoes handled by all handlers as the first handlers thereof, during the same fiscal year.

(4) Upon recommendation of the administrative committee and upon a later finding relative to such committee's expenses or revenue, the Secretary may increase the rate of assessment to cover expenses which shall be appropriately incurred. Such increase shall be applicable to all potatoes handled during the given fiscal year.

(b) *Accounting.* (1) If, at the end of a fiscal year, it shall appear that assessments collected are in excess of expenses incurred, each handler entitled to a proportionate refund of the excess assessments shall be credited with such refund against the operations of the following fiscal year, unless he demands payment thereof, in which event proportionate refund shall be paid to him.

(2) The administrative committee may, with the approval of the Secretary, maintain in its own name or in the name of its members, a suit against any handler for the collection of such handler's pro rata share of its expenses.

(c) *Funds.* All funds received by the administrative committee pursuant to any provision hereof shall be used solely for the purposes herein specified and shall be accounted for in the following manner:

(1) The Secretary may at any time require the administrative committee and its members to account for all receipts and disbursements; and

(2) Whenever any person ceases to be an administrative or marketing committee member or alternate, he shall account for all receipts and disbursements and

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deliver all property and funds in his hands, together with all books and records in his possession, to his successor in office or to such person as the Secretary may designate, and shall execute such assignments and other instruments as may be necessary or appropriate to vest in such successor or in such designated person the right to all the property, funds, or claims vested in such member or alternate.

(3) In order to provide funds to carry out the functions of this program, handlers may make advance payment of assessments.

§ 908.4 Regulation—(a) Marketing policy—(1) Preparation. Prior to each season each marketing committee shall consider and prepare a proposed policy for the marketing of potatoes grown in the respective committees' area during such season. In developing its marketing policy each committee shall investigate relevant supply and demand conditions for potatoes. In such investigations each committee shall give appropriate consideration to the following:

(i) Market prices for potatoes, including prices by grade, size, and quality in different packs, or any other shipping unit;

(ii) Supply of potatoes, by grade, size, and quality, in the production area and in other production areas;

(iii) The trend and level of consumer income; and

(iv) Other relevant factors.

(2) (1) *Reports.* Each committee shall submit to the Secretary a report setting forth the aforesaid marketing policy, and a copy of such report shall be made available to the administrative committee. Each committee with the assistance of the administrative committee also shall notify producers and handlers of the contents of such reports. (ii) In the event it becomes advisable to deviate from such marketing policy, because of changed supply and demand conditions the respective marketing committee shall formulate a new marketing policy in accordance with the manner previously outlined. Such committee also shall submit a report thereon to the Secretary, also to the administrative committee, and notify, with the assistance of the administrative committee, producers and handlers of such revised or amended marketing policy.

(b) *Marketing Committee recommendations.* (1) Each marketing committee shall recommend regulation to the Secretary whenever it finds that such regulation, as provided in paragraph (c) of this section, will tend to effectuate the declared policy of the act.

(2) Each marketing committee also may recommend modification, suspension, or termination of any regulation in order to facilitate shipments of potatoes for the specified purposes set forth in paragraph (c) (2) of this section.

(c) *Issuance of regulations.* (1) The Secretary shall limit the shipment of potatoes whenever he finds from the recommendations and information submitted by any marketing committee, or from other available information, that such regulation would tend to effectuate the declared policy of the act in the area

served by such committee. Such limitation may:

(i) Regulate, in any or all portions of the production area, the shipment of particular grades, sizes, or qualities of any or all varieties of potatoes during any period; or

(ii) Regulate the shipment of particular grades, sizes, or qualities of potatoes differently, for different varieties, for different portions of the production area, for different packs, or any combination of the foregoing during any period; or

(iii) Regulate the shipment of potatoes by establishing, in terms of grades, sizes, or both, minimum standards of quality and maturity; or

(iv) Prohibit the shipment of potatoes during any period.

(2) Upon the basis of the recommendations and information submitted by any marketing committee for the area served by such committee, the Secretary shall modify, suspend, or terminate regulations issued pursuant to §§ 908.3, 908.5, paragraph (c) (1) of this section, or any combination thereof, in order to facilitate shipments of potatoes for the following purposes whenever he finds that it will tend to effectuate the declared policy of the act;

(i) For grading, loading, or other preparation for market;

(ii) For seed;

(iii) For use in lieu of seed;

(iv) For export;

(v) For distribution by the Federal Government;

(vi) For manufacture or conversion into specified products;

(vii) For livestock feed; and

(viii) For other purposes which may be specified.

(3) Each marketing committee, with the approval of the Secretary, may establish, for any or all portions of the production area, served by such committee, minimum quantities below which shipments will be free from regulations issued pursuant to §§ 908.3, 908.5, paragraph (c) (1) of this section, or any combinations thereof.

(4) The Secretary shall notify marketing committees through the administrative committee, of any regulations issued or of any modification, suspension, or termination of regulations pursuant to this section. Each marketing committee with the assistance of the administrative committee shall give reasonable notice thereof to handlers.

(d) *Safeguards.* (1) The administrative committee, upon recommendation of a marketing committee, and with approval of the Secretary, may prescribe (i) adequate safeguards to prevent shipments pursuant to paragraph (c) (2) of this section from entering channels of trade for other than the specific purpose authorized therefor, and (ii) rules governing the issuance and the contents of Certificates of Privilege if such certificates are prescribed as safeguards by such committee.

(2) Safeguards, as prescribed herein, may include requirements that:

(i) Handlers shall file applications with the committee to ship potatoes pursuant to paragraph (c) (2) of this section;

(ii) Handlers shall obtain inspection provided by § 908.5 or pay the pro rata share of expenses provided by § 908.3 or both, in connection with potato shipments effected under the provisions of paragraph (c) (2) of this section: *Provided*, That such inspection or payment of expenses may be required at different times than otherwise specified by the aforesaid sections; and

(iii) Handlers shall obtain Certificates of Privilege from the administrative committee for shipments of potatoes effected or to be effected under the provisions of paragraph (c) (2) of this section.

(3) The administrative committee may rescind or deny Certificates of Privilege to any shipper if proof is obtained that potatoes shipped by him for the purposes stated in paragraph (c) (2) of this section were handled contrary to the provisions hereof.

(4) The Secretary shall have the right to modify, change, alter, or rescind any safeguards prescribed and any certificates issued by the administrative committee pursuant to the provisions of this section.

(5) The administrative committee shall make reports to the Secretary, as requested, showing the number of applications for such certificates, the quantity of potatoes covered by such applications, the number of such applications denied and certificates granted, the quantity of potatoes shipped under duly issued certificates, and such other information as may be requested.

§ 908.5 Inspection and certification. During any period in which shipments of potatoes are regulated pursuant to the provisions of §§ 908.3 or 908.4, or both, each handler who first ships potatoes shall, prior to making shipment, cause each shipment to be inspected by an authorized representative of the Federal-State Inspection Service or such other inspection service as the Secretary shall designate. Each such handler shall make arrangements with the inspecting agency for forwarding promptly to the administrative committee a copy of such inspection certificate: *Provided*, however, That (a) each handler making a shipment of potatoes during such period shall, prior to making such shipment, determine if such shipment has been inspected, and if such shipment has not been so inspected and is not covered by an inspection certificate, each handler making such a determination shall have such potatoes inspected and shall arrange for a copy of the inspection certificate to be forwarded to the administrative committee as aforesaid, and upon recommendation of the administrative committee, and approval by the Secretary, (b) each handler who first ships potatoes after such potatoes are regraded, resorted, repacked, or in any other way further prepared for market shall have each shipment of such potatoes inspected as provided herein.

§ 908.6 Exemptions. (a) The administrative committee, upon recommendation of a marketing committee, may adopt, with approval of the Secretary, the procedures pursuant to which certificates of exemption will be issued to producers.

(b) The administrative committee, upon recommendation of a marketing committee, shall issue certificates of exemption to any producer who applies for such exemption and furnishes adequate evidence to such committee:

(1) That by reason of a regulation issued pursuant to § 908.4 he will be prevented from shipping as large a proportion of his production as the average proportion of production, or such portion thereof as may be determined by the marketing committee operating in such area, shipped during the entire season by all producers in said applicant's immediate production area; and (2) that the grade, size, or quality of the applicant's potatoes have been adversely affected by acts beyond the applicant's control and by acts beyond reasonable expectation. Each certificate shall permit the producer to ship the amount of potatoes specified thereon. Such certificates shall be transferred with such potatoes at time of sale.

(c) The administrative committee and the marketing committee operating in the area from which an application is received shall be permitted at any time to make a thorough investigation of any producer's claim pertaining to exemptions.

(d) If any applicant for exemption certificates is dissatisfied with the determination by the administrative committee with respect to his application, said applicant may file an appeal with such committee. Such an appeal must be taken promptly after the determination by such committee from which the appeal is taken. Any applicant filing an appeal shall furnish evidence satisfactory to such committee for a determination on the appeal. The administrative committee shall thereupon reconsider the application, examine all available evidence, and make a final determination concerning the application. Such committee shall notify the appellant of the final determination, and shall furnish the Secretary with a copy of the appeal and a statement of considerations involved in making the final determination.

(e) The administrative committee shall maintain a record of all applications submitted for exemption certificates, a record of all exemption certificates issued and denied, the quantity of potatoes covered by such exemption certificates, a record of the amount of potatoes shipped under exemption certificates, a record of appeals for reconsideration of applications, and such information as may be requested by the Secretary. Periodic reports on such records shall be compiled and issued by the administrative committee upon request of the Secretary.

§ 908.7 Reports. Upon the request of the administrative committee, with approval of the Secretary, every handler shall furnish to such committee, in such manner and at such time as may be prescribed, such information as will enable the administrative committee and the marketing committees to exercise their powers and perform their duties hereunder. The Secretary shall have the right to modify, change, or rescind any

requests for reports pursuant to this section.

§ 908.8 Compliance. Except as provided herein, no handler shall ship potatoes, the shipment of which has been prohibited by the Secretary in accordance with provisions hereof, and no handler shall ship potatoes except in conformity to the provisions hereof.

§ 908.9 Right of the Secretary. The members of the administrative committee and the members of the marketing committees (including successors and alternates), and any agent or employee appointed or employed by such committees shall be subject to removal or suspension by the Secretary at any time. Each and every order, regulation, decision, determination or other act of such committees shall be subject to the continuing right of the Secretary to disapprove of the same at any time. Upon such disapproval, the disapproved action of the said committee shall be deemed null and void, except as to acts done in reliance thereon or in compliance therewith prior to such disapproval by the Secretary.

§ 908.10 Effective time and termination—(a) Effective time. The provisions hereof shall become effective at such time as the Secretary may declare above his signature attached hereto, and shall continue in force until terminated in one of the ways hereinafter specified.

(b) **Termination.** (1) The Secretary may, at any time, terminate the provisions hereof by giving at least one day's notice by means of a press release or in any other manner which he may determine.

(2) The Secretary may terminate or suspend the operation of any or all of the provisions hereof whenever he finds that such provisions do not tend to effectuate the declared policy of the act.

(3) The Secretary shall terminate the provisions hereof at the end of any fiscal year whenever he finds that such termination is favored by a majority of producers, who during the preceding fiscal year, have been engaged in the production for market of potatoes; *Provided*, That such majority has, during such year, produced for market more than fifty percent of the volume of such potatoes produced for market; but such termination shall be effective only if announced at least 30 days prior to the end of the then current fiscal year.

(4) The provisions hereof shall, in any event, terminate when even the provisions of the act authorizing them cease to be in effect.

(5) The Secretary shall terminate the provisions hereof at the end of any fiscal year, upon the written request of handlers signatory hereto who submit evidence satisfactory to the Secretary that they handled not less than sixty-seven percent of the total volume of potatoes handled by the signatory handlers during the preceding fiscal year; but such termination shall be effective only if announced on at least 30 days prior to the end of the then current fiscal year.¹

(c) **Proceedings after termination.** (1) Upon the termination of the provi-

sions hereof, the then functioning members of the administrative committee and of the marketing committee shall continue as trustees, for the purpose of liquidating the affairs of such committees of all the funds and property then in the possession of or under control of such committees, including claims for any funds unpaid or property not delivered at the time of such termination. Action by said trusteeship shall require the concurrence of a majority of the said trustees.

(2) The said trustees shall continue in such capacity until discharged by the Secretary; shall, from time to time, account for all receipts and disbursements and deliver all property on hand, together with all books and records of their respective committee and of the trustee, to such person as the Secretary may direct; and shall upon request of the Secretary, execute such assignments or other instruments necessary or appropriate to vest in such person full title and right to all of the funds, property, and claims vested in their respective committee or the trustee pursuant thereto.

(3) Any person to whom funds, property, or claims have been transferred or delivered by the administrative committee or the marketing committees or their members, pursuant to this section, shall be subject to the same obligations imposed upon the members of such committees and upon the said trustees.

§ 908.11 Effect of termination or amendment. Unless otherwise expressly provided by the Secretary, the termination hereof or of any regulation issued pursuant hereto, or the issuance of any amendments to either thereof, shall not (a) affect or waive any right, duty, obligation, or liability which shall have arisen or which may thereafter arise in connection with any provision hereof or any regulation issued hereunder or (b) release or extinguish any violation hereof or of any regulations issued hereunder, or (c) affect or impair any rights or remedies of the Secretary or of any other person with respect to any such violation.

§ 908.12 Duration of immunities. The benefits, privileges, and immunities conferred upon any person by virtue hereof shall cease upon the termination hereof, except with respect to acts done under and during the existence hereof.

§ 908.13 Agents. The Secretary may, by designation in writing, name any person, including any officer or employee of the Government, or name any bureau or division in the United States Department of Agriculture, to act as his agent or representative in connection with any of the provisions hereof.

§ 908.14 Derogation. Nothing contained herein is, or shall be construed to be in derogation or in modifications of the rights of the Secretary or of the United States to exercise any powers granted by the act or otherwise, or, in accordance with such powers, to act in the premises whenever such action is deemed advisable.

§ 908.15 Personal liability. No member or alternate of the administrative

¹ Applicable only to the proposed marketing agreement.

PROPOSED RULE MAKING

committee nor any marketing committee, nor any employee or agent thereof, shall be held personally responsible, either individually or jointly with others, in any way whatsoever, to any handler or to any person for errors in judgment, mistakes, or other acts, either of commission or omission, as such member, alternate, or employee, except for acts of dishonesty.

§ 908.16 Separability. If any provision hereof is declared invalid, or the applicability thereof to any person, circumstance, or thing is held invalid, the validity of the remainder hereof, or the applicability thereof to any other person, circumstance, or thing, shall not be affected thereby.

§ 908.17 Amendments. Amendments hereto may be proposed, from time to time, by the administrative committee, or by any marketing committee, or by the Secretary.

§ 908.18 Counterparts. This agreement may be executed in multiple counterparts and when one counterpart is signed by the Secretary, all such counterparts shall constitute when taken together, one and the same instrument as if all signatures were contained in one original.¹

§ 908.19 Additional parties. After the effective date hereof, any handler who has not previously executed this agreement may become a party hereto if a counterpart hereof is executed by him and delivered to the Secretary. This agreement shall take effect as to such new contracting party at the time such counterpart is delivered to the Secretary, and benefits, privileges, and immunities conferred by this agreement shall then be effective as to such new contracting party.¹

§ 908.20 Order with marketing agreement. Each signatory handler favors and approves the issuance of an order, by the Secretary, regulating the han-

dling of potatoes in the same manner as is provided for in this agreement; and each signatory handler hereby requests the Secretary to issue, pursuant to the act, such an order.¹

Copies of this notice of hearing may be procured from the Hearing Clerk, United States Department of Agriculture, Room 1353, South Building, Washington 25, D. C., or may be there inspected.

Issued at Washington, D. C., this 27th day of December, 1949.

[SEAL] JOHN I. THOMPSON,
Assistant Administrator.

[F. R. Doc. 49-10545; Filed, Dec. 29, 1949;
8:50 a. m.]

[7 CFR, Part 993]

HANDLING OF DRIED PRUNES PRODUCED IN
CALIFORNIABUDGET OF EXPENSES AND RATE OF ASSESS-
MENT FOR CROP YEAR ENDING JULY 31,
1950

Pursuant to the authority vested in the Secretary of Agriculture by the provisions of § 993.7 (a) and (b) of Marketing Agreement No. 110 and Marketing Order No. 93 (14 F. R. 5254) regulating the handling of dried prunes produced in California effective under the Agricultural Marketing and Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), the Secretary of Agriculture is considering a rule approving the budget of expenses of the Prune Administrative Committee (the agency established to administer the agreement and order) and the rate of assessment for the crop year beginning August 25, 1949, and ending July 31, 1950, as hereinafter set forth, said budget and rate of assessment having been recommended by the Prune Administrative Committee and submitted to the Secretary for his approval.

Prior to the final approval of the budget of expenses and rate of assessment consideration will be given to any data, views or arguments pertaining thereto which are submitted in writing to the Director, Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, Room 2077, South Building, Washington 25, D. C., and received by him not later than 5:30 p. m., e. s. t., on the 10th day after the date of the publication of this notice in the *FEDERAL REGISTER*, except that if said 10th day after publication should fall on a holiday, Saturday or Sunday such submission will be considered if received by the Director not later than 5:30 p. m., e. s. t., on the next following work day. The proposed rule is as follows:

§ 993.300 Budget of expenses of the Prune Administrative Committee and rate of assessment for the crop year beginning August 25, 1949 and ending July 31, 1950. Expenses in the amount of \$104,000 are reasonable and are likely to be incurred by the Prune Administrative Committee for its maintenance and functioning during the crop year beginning August 25, 1949 and ending July 31, 1950, and the rate of assessment to be paid by each handler shall be 90 cents per ton, on a natural condition equivalent basis, of all salable tonnage prunes handled by him as the first handler thereof and of all prunes sold to him from surplus tonnage for resale to other than Federal governmental agencies, during such crop year. This rate of assessment is hereby fixed as each handler's pro rata share of the aforesaid expenses.

(48 Stat. 31, as amended, 7 U. S. C. 601 et seq.; 14 F. R. 5254)

Issued at Washington, D. C., this 27th day of December 1949.

[SEAL] S. R. SMITH,
Director,
Fruit and Vegetable Branch.

[F. R. Doc. 49-10559; Filed, Dec. 29, 1949;
8:50 a. m.]

NOTICES

EXECUTIVE OFFICE OF THE
PRESIDENT

ORGANIZATION AND FUNCTIONS

SECTION I. Executive Office of the President in general—(a) Organization. The Executive Office of the President is a central staff organization under the immediate direction of the President which assists him in discharging his responsibilities.

(b) Presidential functions. (The President has directed that information with respect to the administration of functions vested in the President by statute be included in the explanation of the organization and procedures of the respective agencies of the Executive Branch which administer such functions

on behalf of the President, or which administer activities to which they are directly related.)

SEC. II. The White House Office—(a) Organization. The White House Office includes the Secretaries to the President, the Assistant to the President, the Special Counsel to the President, the Executive Clerk, the Administrative Assistants to the President, and such other personnel as are required to serve the President in an intimate capacity in the performance of the many detailed activities incident to his immediate office.

SEC. III. The Bureau of the Budget—(a) Organization. The Bureau of the Budget serves the President in the preparation and administration of the budget, in the review of legislation and Executive orders, in the improvement of administrative management and organi-

zation, and in the coordination of Federal statistics. The Bureau of the Budget is under the general supervision of the Director of the Budget. In addition to the Office of the Director, its organization includes five principal divisions in Washington and a field service comprising small offices in Chicago, Illinois; Dallas, Texas; Denver, Colorado; and San Francisco, California. The five divisions of the Bureau are: the Division of Estimates, the Division of Fiscal Analysis, the Division of Legislative Reference, the Division of Administrative Management, and the Division of Statistical Standards.

(b) Functions involving a direct relationship with individuals and public or private organizations—(1) Collection of information from the public. (i) In connection with its functions related to the

¹ Applicable only to the proposed marketing agreement.

management of the Government, the Bureau of the Budget is assigned responsibility for planning and promoting the improvement, development, and coordination of Federal and other statistical services. In carrying out this responsibility the Director of the Bureau of the Budget is largely governed by the Federal Reports Act of 1942 (56 Stat. 1078; 5 U. S. C. 139-139 (f)). This act provides in part, that no Federal Executive agency (except as noted in the Act) shall conduct or sponsor the collection of information, upon identical items, from ten or more persons (individuals, business or other organizations, or State or local governments) without having submitted its proposed requests for information to the Director of the Bureau of the Budget for his approval. Such requests for information include report forms, schedules, questionnaires or other similar methods of obtaining information.

(ii) The Director has delegated to the Assistant Director in Charge of Statistical Standards the authority conferred upon him by the Federal Reports Act. In the conduct of this function, the Bureau's Division of Statistical Standards, often aided by other parts of the Bureau's organization, reviews proposed plans and report forms submitted to the Bureau by Federal agencies. Each approved request for information must, when used, include an approval number or a statement indicating the Bureau's approval.

(iii) To assist the Bureau in evaluating the burden of these plans and report forms on the public as well as their technical adequacy and the usefulness of the desired information, the Budget Director has established an Advisory Council on Federal Reports composed of representatives of leading business, manufacturing, trade, and related associations; a Labor Advisory Committee on Statistics composed of representatives of leading labor organizations; and an Agriculture Advisory Committee on Statistics composed of representatives of leading farm organizations. These committees are frequently asked for views upon specific reporting plans and forms.

(iv) At his discretion, the Assistant Director in Charge of Statistical Standards may grant, to any party having a substantial interest in the collection of any information by a Federal agency, an opportunity to be heard or to submit written statements as to the necessity for collecting such information. Any person desiring to be so heard or to submit such a written statement should communicate with the Assistant Director in Charge of Statistical Standards, Bureau of the Budget, Washington 25, D. C.

(2) *Consultation with State and local officials.* The Field offices of the Bureau of the Budget are available to consult with officials of State and local governments on Federal programs of concern to them.

SEC. IV. The Council of Economic Advisers—(a) Organization. The Council of Economic Advisers, created under and responsible for the administration of certain main features of the Employment Act of 1946 (60 Stat. 23, as amended; 15 U. S. C. and Sup. 1021-1024), assists the President in the preparation of his an-

nual and midyear Economic Reports to the Congress; studies national economic developments and trends; appraises activities of the Federal Government bearing upon the nation's economy and the advancement thereof; develops and recommends to the President national economic policies to maintain employment, production, and purchasing power; and furnishes the President with such other studies and reports relating to Federal economic policy and legislation as the President may request. The Council of Economic Advisers consists of three members, one of whom is designated as chairman and another as vice-chairman. A small staff aids the Council in the performance of its responsibilities; and in addition, the Council utilizes, to the fullest extent possible, the services, facilities, and information of other government agencies and of private research agencies. The Council consults regularly with advisory committees representing industry, agriculture, labor, consumers, State and local governments, and other groups.

SEC. V. The National Security Council—(a) Organization. The National Security Council was established, pursuant to Public Law 253, 80th Congress (Sec. 101, 61 Stat. 496; 50 U. S. C., Sup., 402), as amended by Section 3 of Public Law 216, 81st Congress, August 10, 1949, to advise the President with respect to the integration of domestic, foreign, and military policies relating to the national security so as to enable the military services and the other departments and agencies of the Government to cooperate more effectively in matters involving the national security. It was transferred to the Executive Office of the President by Reorganization Plan No. 4 of 1949, effective August 20, 1949 (14 F. R. 5227). The Council makes such recommendations and such other reports to the President as it deems appropriate or as the President may require. The Council is composed of the President, the Vice-President, the Secretary of State, the Secretary of Defense, the Chairman of the National Security Resources Board, and the Secretaries and Under Secretaries of other executive departments and of the military departments, the Chairman of the Munitions Board, and the Chairman of the Research and Development Board, when appointed by the President by and with the advice and consent of the Senate, to serve at his pleasure. The Council is assisted by a staff headed by a civilian Executive Secretary, appointed by the President. Under the direction of the National Security Council is a Central Intelligence Agency headed by a Director of Central Intelligence.

SEC. VI. The National Security Resources Board—(a) Organization. The National Security Resources Board was established by the National Security Act of 1947 (61 Stat. 495, 499) as an independent agency responsible to the President. It was transferred to the Executive Office of the President by Reorganization Plan No. 4 of 1949, effective August 20, 1949 (14 F. R. 5227). The function of the Board, pursuant to section 103 (c) of the Act, is to advise the

President concerning the coordination of military, industrial and civilian mobilization. The membership of the Board consists of the Secretary of State, the Secretary of the Treasury, the Secretary of Defense, the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Labor and a Chairman appointed from civilian life. By the terms of Executive Order 9905 of November 13, 1947 (3 CFR, 1947 Supp.; 12 F. R. 7613), a delegation of authority by the Board (12 F. R. 8033, 13 F. R. 1190) and section 303 of the Act, respectively, the Chairman is responsible for the direction of the work and the staff of the Board, is directed to utilize the facilities and resources of the departments and agencies of the Government, and is authorized to appoint such advisory committees as are deemed necessary. The Board staff, in addition to an Executive Assistant and a Special Assistant, consists of four staff services and eight resources mobilization planning offices. The staff services are the General Counsel's Office, the Administrative Office, the Program Coordination Office, and the Resources Requirements Office. The Resources Mobilization Planning Offices are Production, Materials, Transportation, Energy, and Utilities, Manpower, Foreign Activities, Economic Management, and Civilian Mobilization.

EMERGENCY AGENCIES

SEC. VII. The Office for Emergency Management in general—(a) Organization. The Office for Emergency Management was created to assist the President in dealing with public emergencies. It includes certain defense agencies which are under direct control and supervision of the President.

SEC. VIII. The Philippine Alien Property Administration, in the Office for Emergency Management — (a) Central and field organization — (1) Direction. The Philippine Alien Property Administration, Office for Emergency Management of the Executive Office of the President, is under the direction of the Philippine Alien Property Administrator who is appointed by, and is responsible directly to the President in the exercise of authority granted to the President by the Trading With the Enemy Act, as amended, and the Philippine Property Act of 1946. The President's authority under these acts has been delegated to the Philippine Alien Property Administrator by and to the extent set forth in the Executive orders listed in (d). The Administrator is assisted by a Deputy Administrator whose authority is set out in (e).

(2) *Division.* The administration is composed of the following divisions and offices with functions as indicated:

(i) *Office of the Philippine Alien Property Administrator:* The Administrator is responsible for the exercise of all duties delegated by the President to the Philippine Alien Property Administrator. The Deputy Philippine Alien Property Administrator is directly responsible to the Administrator and when the Administrator is absent exercises all powers and performs all duties delegated to the Administrator.

NOTICES

(ii) Executive Committee (composed of the Philippine Alien Property Administrator, the Deputy Philippine Alien Property Administrator and such other staff officers as are named by the Administrator): Serves in an advisory capacity to the Administrator in determination of policy and administrative actions.

(iii) Vested Property Claims Committee: Conducts hearings and examines evidence on claims filed with the administration and determines their disposition, subject to review by the Administrator.

(iv) Administrative Division: Responsible for budgetary control, administrative planning and coordination of activities of service divisions; responsible for recruitment, classification, and related personnel activities; maintains personnel records; administers personnel laws and regulations; provides procurement, messenger, duplicating, and other administrative services; and maintains files and records.

(v) Office of the General Counsel: The General Counsel is the legal adviser to the Administrator, determining, and advising with respect to the legal policy of the administration. He passes upon legal documents and regulations, analyzes legislation and prepares legislative proposals; analyzes and disposes of litigation; represents the Administration before the Claims Committee in all matters arising from claims filed, and is a party to all hearings conducted by the Committee or Examiner and in all rehearings, reviews, and appeals.

(vi) Accounting Division: Maintains all accounting records pertaining to vested property and administrative expenses and prepares financial reports; reviews financial data on vested and supervised business enterprises; conducts research to evaluate effectiveness of programs and assists in policy formulation; assembles statistical data on controlled properties; and prepares annual and other official reports.

(vii) Investigation Division: Responsible for identification and establishment of proof of ownership of all enemy-owned assets.

(viii) Division of Property Management and Sales: Supervises operations of business enterprises continuing as going concerns and conducts sales of vested interests; supervises liquidation of enterprises not continued as going concerns; manages and sells real estate; mortgages, and other vested property; obtains possession of vested properties, and administers all property not assigned to other divisions.

(ix) Office of Executive Officer, Washington, D. C.: Provides liaison with other government agencies; handles general correspondence of the Washington office; processes formal orders and documents, and coordinates policies and practices of the Administration with the Office of Alien Property, Department of Justice.

(x) Administrative Office, Davao City, Mindanao, Philippine Islands: Responsible for administration of all functions in that office.

(3) *Location of offices.* The Philippine Alien Property Administration maintains offices at the following locations:

(i) Manila, Philippines, APO 707 c/o P. M., San Francisco, Calif.

(ii) San Pedro Street, Davao City, Mindanao, Philippines.

(iii) Washington 25, D. C.

(4) *Requests and inquiries.* Requests and inquiries may be addressed initially to the Administrator, Philippine Alien Property Administration, Manila, Philippine Islands. Internal divisions of the office should not be addressed in the first instance except where otherwise provided in this part. Correspondence from the Administration includes reference symbols, use of which expedites the handling of reply. Persons who are located in the United States may address the Executive Officer, Philippine Alien Property Administration, Washington 25, D. C., or if located near Davao, may address the Administrative Officer, Philippine Alien Property Administration, San Pedro Street, Davao City, Mindanao, Philippine Islands.

(b) *Sales program.* Vested properties are offered for sale by the administration at various times and places. Notice of sale is given by publication in newspapers and by mail to persons on a mailing list maintained by the Administrative Division. Information concerning the program is available upon request to the Administrator, Philippine Alien Property Administration, Manila, Philippine Islands. Persons may be placed on the mailing list by request. See also §§ 601.4, Title 8, Code of Federal Regulations.

(c) *Patent, trade-mark, and copyright programs.* Information concerning vested interests in trade-marks, copyrights, commercial prints and labels is available upon request to the General Counsel, Philippine Alien Property Administration, Manila, Philippine Islands.

(d) *Delegation to the Philippine Alien Property Administrator.* Authority has been delegated to the Philippine Alien Property Administrator by the following Executive orders of the President: Executive Order 9818 of January 7, 1947 (12 F. R. 133; 3 CFR, 1947 Supp.), superseding Executive Order 9789 of October 17, 1946 (11 F. R. 11981; 3 CFR, 1946 Supp.).

Cross Reference: For delegation of authority authorizing the Philippine Alien Property Administrator to perform certain functions of the President with respect to alien property located in the Philippines, see Executive Order 9876 (12 F. R. 4981; 3 CFR, 1947 Supp.).

(e) *Delegation to Deputy Philippine Alien Property Administrator.* The Deputy Philippine Alien Property Administrator, in the absence of the Philippine Alien Property Administrator, or in the event of his inability to act, may exercise, to the extent permitted by law, all of the powers and authority of the Administrator.

(f) *Delegation to Vested Property Claims Committee.* See § 601.1, Title 8, Code of Federal Regulations.

(g) *Prohibition of transactions and appointments of agents and delegates.*

See § 611.3, Title 8, Code of Federal Regulations.

(h) *Delegation of authority to certify documents.* The Administrative Officer, the Assistant Administrative Officer, the Administrative Officer, Davao City, Mindanao, and the Executive Officer, Washington, D. C., severally, are authorized to exercise the power vested in the Philippine Alien Property Administrator to authenticate, certify and attest copies of any books, records, papers or other documents in the official custody of the Philippine Alien Property Administrator, and to subscribe the Philippine Alien Property Administrator's name to such certificates in his behalf.

(i) *Delegation of authority to make records available.* Each Division Chief of the Philippine Alien Property Administration, in the conduct of affairs of his Division, is authorized to make official records available to applicants in accordance with § 621.2, Title 8, Code of Federal Regulations. Applications for disclosure of records in connection with litigation, and subpoenas, will be submitted to the Administrator by the Division Chief having jurisdiction.

(j) *Delegation to Comptroller.* The Comptroller is authorized to, but not limited to make demand for rents, annuities, accretions, and royalty payments on vested property and on vested contracts.

(k) *Ratification of delegations and appointments made by Philippine Alien Property Administrator's predecessors.*

(1) (i) The appointment and designation of all employees, appointees, delegates, designees, agents, supervisors, proxies, attorneys, representatives and other personnel whose services were transferred to the Philippine Alien Property Administration, or in the Manila or Davao City offices of the Office of Alien Property, Department of Justice, together with all powers, authority, functions and duties conferred, granted or delegated by virtue of any certificate of appointment, general order, proxy, letter or other instrument of appointment or delegation by or under the authority of Donald C. Cook, Office of Alien Property, and

(ii) All certificates of appointment, general orders, special orders, orders, regulations, licenses, instructions, directions, delegations, designations, authorizations and forms executed, issued or promulgated by or under the authority of Leo T. Crowley, or James E. Markham, severally, as Alien Property Custodian, or of Donald C. Cook, Office of Alien Property, Department of Justice, are, except as hereinafter indicated, hereby affirmed, ratified and continued in effect in so far as they affect vested property in the Philippine Islands according to their terms until revoked, superseded or terminated by, or by authority of, the Philippine Alien Property Administrator.

(2) Any instrument which might lawfully be issued by or under the authority of the Philippine Alien Property Administrator shall not be deemed invalid for the reason that it contains the printed, or otherwise stamped or affixed names of the predecessors in title to the Philippine

Alien Property Administrator, namely, "Leo T. Crowley", "James E. Markham", or "Donald C. Cook", but shall be construed as though it contained the name "James McI. Henderson", Administrator, unless the context requires otherwise.

WILLIAM J. HOPKINS,
Executive Clerk.

DECEMBER 23, 1949.

[F. R. Doc. 49-10542; Filed, Dec. 29, 1949;
8:48 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

NEVADA

CLASSIFICATION ORDER

DECEMBER 16, 1949.

1. Pursuant to the authority delegated to me by the Director, Bureau of Land Management, by Order No. 319 dated July 19, 1948 (43 CFR 50.451 (b) (3) 13 F. R. 4278), I hereby classify under the Small Tract Act of June 1, 1938 (52 Stat. 609), as amended July 14, 1945 (59 Stat. 467, 43 U. S. C. section 682a), as herein-after indicated, the following described land in the Nevada land district, embracing approximately 153.01 acres,

NEVADA SMALL TRACT CLASSIFICATION NO. 44

For lease and sale for homesites only.

T. 21 S., R. 62 E., M. D. M.,
Sec. 19, E½SW¼ and Lots 3 and 4.

Leases will not be issued on Lots 3 and 4 until a supplemental plat has been approved dividing the lots and numbering the tracts.

The land is situated in southeastern Nevada, approximately 5 miles from the city of Las Vegas, Nevada, and 25 miles from Boulder Dam. The area is one that is used extensively for health and recreation. Winters are mild and summers very hot. It is a typical desert area but close to modern towns where all necessary facilities are available.

2. As to applications regularly filed prior to 9:30 a. m., July 19, 1949, and are for the type of site for which the land is classified, this order shall become effective upon the date it is signed.

3. As to the land not covered by applications referred to in paragraph 2, this order shall not become effective to permit leasing under the Small Tract Act until 10:00 a. m., February 17, 1950. At that time such land shall, subject to valid existing rights, become subject to application as follows:

(a) Ninety-day preference period for qualified veterans of World War II from 10:00 a. m., February 17, 1950, to the close of business on May 18, 1950.

(b) Advance period for veterans' simultaneous filings from 9:30 a. m., July 19, 1949, to 10:00 a. m., February 17, 1950.

4. Any of the land remaining unappropriated shall become subject to application under the Small Tract Act by the public generally, commencing at 10:00 a. m., May 18, 1950.

(a) Advance period for simultaneous nonpreference filings from 9:30 a. m., July 19, 1949, to 10:00 a. m., May 19, 1950.

5. Applications filed within the periods mentioned in paragraph 3 (b) and 4 (a) will be treated as simultaneously filed.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

6. All of the land will be leased in tracts of approximately 5 acres, each being approximately 330 by 660 feet, the longer dimensions to extend east and west.

7. Preference right leases referred to in paragraph 2 will be issued for the land described in the application irrespective of the direction of the tract provided the tract conforms to or is made to conform to the area and the dimensions specified in paragraph 6.

8. Where only one five-acre tract in a ten-acre subdivision is embraced in a preference right application, an application for the remaining five-acre tract extending in the same direction will be accepted in order to fill out the subdivision notwithstanding the direction specified in paragraph 6.

9. Leases will be for a period of five years at an annual rental of \$5.00 payable for the entire lease period in advance of the issuance of the lease. Leases will contain an option to purchase clause at the appraised value of \$10.00 an acre, application for which may be filed at or after the expiration of one year from date the lease is issued.

10. Tracts will be subject to existing rights-of-way and also rights-of-way for road purposes and public utilities, as follows:

33 feet along north, east, south and west boundaries of the land,

16½ feet along east side of Lots 3 and 4,

16½ feet along west side of E½SW¼.

Such rights-of-way may be utilized by the Federal Government, or the State, County or municipality in which the tract is situated, or by any agency thereof. The rights-of-way may, in the discretion of the authorized officer of the Bureau of Land Management, be definitely located prior to the issuance of the patent. If not so located, they may be subject to location after patent is issued.

11. All inquiries relating to these lands should be addressed to the Acting Manager, Nevada Land and Survey Office, Reno, Nevada.

L. T. HOFFMAN,
Regional Administrator.

[F. R. Doc. 49-10532; Filed, Dec. 29, 1949;
8:51 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 946, et al.]

ASBURY PARK-NEW YORK TRANSIT CORP.
ET AL.; NEW YORK CITY AREA HELICOPTER SERVICE CASE

NOTICE OF POSTPONEMENT OF HEARING

In the matter of the application of Asbury Park-New York Transit Corporation, and other applicants for certificates of public convenience and necessity under section 401 of the Civil Aeronautics Act of 1938, as amended, authorizing the establishment of new and additional air transportation services of persons, property, and mail with helicopter aircraft in the New York City area.

Notice is hereby given that the hearing in the above-entitled proceeding, heretofore assigned to be held on January 16, 1950, is postponed and reassigned to be held on February 6, 1950, at 10:00 a. m., e. s. t., in the Assembly Room of the Commerce and Industry Association, 9th Floor, Woolworth Building, 233 Broadway, New York, New York, before Examiner Ferdinand D. Moran.

Dated at Washington, D. C., December 23, 1949.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 49-10564; Filed, Dec. 29, 1949;
8:48 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 8001, 8685, 8830, 9130, 9222]

RADIO CORP. OF TOLEDO ET AL.

ORDER SCHEDULING HEARING

In re applications of Radio Corporation of Toledo, Toledo, Ohio, Docket No. 9222, File No. BP-7057; The Midwestern Broadcasting Company, Toledo, Ohio, Docket No. 8685, File No. BP-6421; The Toledo Blade Company, Toledo, Ohio, Docket No. 8830, File No. BP-6534; Unity Corporation Incorporated (WTOD), Toledo, Ohio, Docket No. 8001, File No. BP-5071; The Rural Broadcasting Company of Ohio, Oak Harbor, Ohio, Docket No. 9130, File No. BP-6758; for construction permits.

The Commission having under consideration a motion filed December 9, 1949, by the Midwestern Broadcasting Company, Toledo, Ohio, requesting that the further hearing on the engineering phases of the above-entitled applications be scheduled for an early date; and

It appearing, that the time within which objections to such motion might have been filed has expired, and objections thereto have not been filed by any party to the proceeding or by Commission Counsel; that good and sufficient reason has been shown in the motion for a grant thereof; that, in the light of the present hearing calendar and commitments of the Hearing Examiner, the earliest open date is Monday, February 6, 1950;

It is ordered, This 16th day of December 1949, that the motion be, and it is

hereby, granted, and the further hearing on the above-entitled applications be, and it is hereby, scheduled in Washington, D. C., for 10:00 o'clock a. m., Monday, February 6, 1950.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 49-10551; Filed, Dec. 29, 1949;
8:52 a. m.]

[Docket No. 8246]

YORK BROADCASTING CO.

ORDER CONTINUING HEARING

In re application of York Broadcasting Company, York, Pennsylvania, for construction permit; Docket No. 8246, File No. BP-5907.

The Commission having under consideration a petition filed by applicant December 12, 1949, requesting a continuance of the hearing in the above-entitled matter from December 21, 1949, to January 19, 1950; and

It appearing, that there are no other parties to the proceeding, that no opposition to the petition has been filed with the Commission, and that petitioner has shown good cause for the continuance requested;

It is ordered, This 16th day of December 1949 that the petition be, and it is hereby granted and the hearing presently scheduled to commence December 21, 1949, is continued to January 19, 1950.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 49-10554; Filed, Dec. 29, 1949;
8:53 a. m.]

[Docket No. 8720]

WHITTIER BROADCAST ASSOCIATES

ORDER CONTINUING HEARING

In re application of Whittier Broadcast Associates, Whittier, California, for construction permit; Docket No. 8720, File No. BP-6416.

The Commission having under consideration applicant's petition filed December 8, 1949, requesting a continuance of the hearing in the above-entitled matter for a period of not less than thirty (30) days; and

It appearing, that there is no opposition to the petition and that good cause for the continuance has been shown;

It is ordered, This 16th day of December 1949 that the petition be, and it is hereby granted, and the hearing presently scheduled for December 19, 1949, is continued to January 23, 1950.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 49-10553; Filed, Dec. 29, 1949;
8:53 a. m.]

NOTICES

[Docket No. 9257]
JOSE RAMON QUINONES

ORDER CONTINUING HEARING

In re petition of Jose Ramon Quinones, San Juan, Puerto Rico, for reconsideration of action granting a construction permit (File No. BP-6353) to WPTF Radio Company (WPTF), Raleigh, North Carolina; Docket No. 9257.

The Commission having under consideration a motion filed by applicant December 8, 1949, for an indefinite continuance of the hearing in the above-entitled matter, presently scheduled for December 22, 1949; and

It appearing, from the petition and affidavit attached thereto prepared by petitioner's consulting engineer that certain studies are being made, the result of which may make the hearing unnecessary; and

It appearing further, that the only other party to the proceeding has associated itself with applicant in the petition; and

It appearing further, that no opposition to the petition has been filed with the Commission.

It is ordered, This 16th day of December 1949 that the petition be, and it is hereby granted, and the hearing presently scheduled to commence December 22, 1949, is continued until further order.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 49-10552; Filed, Dec. 29, 1949;
8:53 a. m.]

[Dockets Nos. 9371, 9372]

GEORGE R. WINSTON AND DOYLE E. COLLUP
(KSTV)

ORDER CONTINUING HEARING

In the matter of George R. Winston, Cisco, Texas, applicant for construction permit for a new standard broadcast station, Docket No. 9371, File No. BP-7018; Doyle E. Collup (KSTV), Stephenville, Texas, applicant for construction permit to change frequency, power and hours of operation, Docket No. 9372, File No. BP-7078.

It appearing that on December 1, 1949, George R. Winston, applicant in Docket No. 9371, filed a petition requesting continuance of the above-entitled proceeding now scheduled to begin on December 19, 1949, that such petition was amended December 12, 1949, to show service on the other parties to the proceeding; and

It appearing that Doyle E. Collup, applicant in Docket No. 9372, proposes to assign the license of Station KSTV, Stephenville, Texas, to Stephenville Broadcasting Company, and that an application (File No. BAL-936) for Commission consent to such assignment is now pending; and

It further appearing that due to a prior assignment of another case, the Examiner before whom these proceedings will be heard will not be available to conduct

the hearing on these applications on December 19, 1949;

It is therefore ordered, This the 15th day of December 1949, that in view of the facts above stated, the above-entitled proceeding in Dockets Nos. 9371 and 9372 are continued indefinitely.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 49-10548; Filed, Dec. 29, 1949;
8:51 a. m.]

[Docket Nos. 9393, 9394]

KWHK BROADCASTING CO. INC. (KWHK)
AND HUTCHINSON PUBLISHING CO.

ORDER CONTINUING HEARING

In re applications of KWHK Broadcasting Company, Inc. (KWHK), Hutchinson, Kansas, applicant for construction permit to change frequency, power and hours of operation and install directional antenna for night use, Docket No. 9393, File No. BP-6831; The Hutchinson Publishing Company, Hutchinson, Kansas, applicant for a construction permit for a new standard broadcast station, Docket No. 9394, File No. BP-7253.

The Commission having under consideration a joint petition filed on December 7, 1949, by KWHK Broadcasting Company, Inc. and The Hutchinson Publishing Company, parties to the consolidated proceeding herein, requesting that the hearing in the above-entitled matter now scheduled to be held in Washington, D. C., on December 19, 1949, be continued for a period of 30 days; and counsel for Station KAKE, party respondent herein, having consented to a grant of the petition; and no opposition thereto having been filed by Commission counsel;

It is ordered, This 16th day of December 1949 that the joint petition of KWHK Broadcasting Company, Inc. and The Hutchinson Publishing Company, is hereby granted, and the hearing in the above-entitled consolidated proceeding, is hereby continued, to January 25, 1950, at Washington, D. C.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 49-10550; Filed, Dec. 29, 1949;
8:52 a. m.]

[Docket No. 9433]

ALL AMERICA CABLES AND RADIO, INC.,
ET AL.

ORDER CONTINUING HEARING

In the matter of All America Cables and Radio, Inc., The Commercial Cable Company, and Mackay Radio and Telegraph Company, Inc., regulations and practices for and in connection with acceptance and delivery of overseas and foreign telegraph messages; Docket No. 9433.

The Commission having under consideration a motion filed December 8, 1949, by All America Cables and Radio, Inc., The Commercial Cable Company and Mackay Radio and Telegraph Company, Inc., requesting that the further hearing now scheduled for December 20, 1949, in Washington, D. C., on the above-entitled matter, be continued to such date after January 15, 1950, as may meet the convenience of the Hearing Examiner;

It appearing, that good and sufficient cause for the requested continuance has been shown in the motion; that The Western Union Telegraph Company, RCA Communications, Inc., Press Wireless, Inc., Tropical Radio Telegraph Company and Radiomarine Corporation of America have indicated they have no objections to the requested continuance; that the time within which other parties to this proceeding and Commission Counsel might have filed objections thereto has expired, and no such objections have been filed by them to said motion;

It is ordered, This 16th day of December 1949 that the motion be, and it is hereby, granted; and that the further hearing on the above-entitled matter be, and it is hereby, continued to 10:00 a. m. Tuesday, January 17, 1950, in Washington, D. C.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 49-10549; Filed, Dec. 29, 1949;
8:52 a. m.]

[Docket No. 9456]

STEITZ NEWSPAPERS, INC.

ORDER CONTINUING HEARING

In re application of Steitz Newspapers, Inc., Lebanon, Pennsylvania, for construction permit; Docket No. 9456, File No. BP-6992.

The Commission having under consideration a petition filed on December 9, 1949, by its General Counsel, requesting that the hearing on the above-entitled application be continued from January 4, 1950, to January 31, 1950, and that the place of hearing be changed from Washington, D. C., to Lebanon, Pennsylvania; and

It appearing, that the other party to this proceeding has consented to a grant of this petition;

It is ordered, This 16th day of December 1949 that the petition is granted; that the hearing upon the above-entitled application is continued to 10:00 a. m. Tuesday, January 31, 1950; and that the place of hearing is changed from Washington, D. C., to Lebanon, Pennsylvania.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 49-10555; Filed, Dec. 29, 1949;
8:53 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1252]

UNITED GAS PIPE LINE CO.

NOTICE OF FINAL DECISION AND ORDER

DECEMBER 23, 1949.

Notice is hereby given that the initial decision and order issuing a certificate of public convenience and necessity in the above-designated matter was issued and served upon all parties on November 21, 1949. No exceptions thereto having been filed or review initiated by the Commission, said initial decision, in conformity with the Commission's rules of practice and procedure, became effective on December 22, 1949, as the final decision and order of the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 49-10534; Filed, Dec. 29, 1949;
8:51 a. m.]

[Project No. 2006]

PUBLIC POWER AND WATER CORP.

NOTICE OF APPLICATION FOR LICENSE

DECEMBER 23, 1949.

Public notice is hereby given that Public Power and Water Corporation of Trenton, New Jersey, has made application for a license pursuant to the provisions of the Federal Power Act (16 U. S. C. 791-825r) for a hydroelectric development in the International Rapids section of the St. Lawrence River near Massena, New York, and a seaway development, including a 30-foot channel extending between Lake Superior and Montreal, Canada. The proposed hydroelectric development would consist of a concrete dam (designated as Long Sault Dam) extending from the United States shore of the river in St. Lawrence County, New York, to the upstream end of Barnhart Island; a powerhouse (designated as Barnhart Island powerhouse) with installation of about 2,200,000 horsepower forming a dam extending from the downstream end of Barnhart Island to the Canadian shore; numerous dikes for protection of lands along the river; a concrete control dam (designated as Iroquois Dam) extending from the mainland near Rockway Point, New York, to Iroquois Point, Canada; Massena Canal intake control works; and appurtenant facilities. The maximum normal high-water elevation of the pool created by the powerhouse and Long Sault Dam would be 242 feet above mean sea level at those structures.

Any protest against the approval of this application or request for any action thereon, with reasons for such protest or request, and the name and address of the party or parties so protesting or requesting, should be submitted on or before January 31, 1950, to the Federal Power Commission at Washington 25, D. C.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 49-10533; Filed, Dec. 29, 1949;
8:51 a. m.]

INTERSTATE COMMERCE
COMMISSION

[4th Sec. Application 24751]

FRESH MEATS AND PACKING HOUSE
PRODUCTS FROM EL PASO, TEX.

APPLICATION FOR RELIEF

DECEMBER 27, 1949.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for and on behalf of carriers parties to his tariff I. C. C. No. 3588.

Commodities involved: Fresh meats and packing house products, carloads.

From: El Paso, Tex.

To: New Orleans, La., and Memphis, Tenn.

Grounds for relief: Circuitous routes. Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3588, Supplement 106.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 49-10540; Filed, Dec. 29, 1949;
8:50 a. m.]

[4th Sec. Application 24752]

PULPBOARD FROM SPRING HILL, LA., TO
JACKSON, MISS.

APPLICATION FOR RELIEF

DECEMBER 27, 1949.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for and on behalf of the Gulf, Mobile and Ohio Railroad Company and other carriers named in the application.

Commodities involved: Pulpboard or fibreboard, carloads.

From: Spring Hill, La.

To: Jackson, Miss.

Grounds for relief: Circuitous routes. Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3788, Supplements 39 and 41.

NOTICES

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 49-10541; Filed, Dec. 29, 1949;
8:50 a. m.]

[4th Sec. Application 24754]

**FORMALDEHYDE FROM WINNIE, TEX., TO
OFFICIAL TERRITORY**

APPLICATION FOR RELIEF

DECEMBER 27, 1949.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for and on behalf of carriers parties to his tariff I. C. C. No. 3752.

Commodities involved: Liquid formaldehyde, carloads.

From: Winnie, Tex.

To: Indianapolis, Ind., Springfield, Ohio and Providence, R. I.

Grounds for relief: Circuitous routes.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3752, Supplement 385.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 49-10538; Filed, Dec. 29, 1949;
8:49 a. m.]

sion's principal office in Washington, D. C.

Notice is hereby given that, upon request of any interested person received prior to January 16, 1950, the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL]

ORVAL L. DUBoIS,
Secretary.

[F. R. Doc. 49-10527; Filed, Dec. 29, 1949;
8:46 a. m.]

[File No. 7-1142]

E. I. DU PONT DE NEMOURS & CO.

NOTICE OF APPLICATION FOR UNLISTED TRADING PRIVILEGES AND OF OPPORTUNITY FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 23d day of December A. D. 1949.

The Los Angeles Stock Exchange, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 thereunder, has made application for unlisted trading privileges in the Common Stock, \$5.00 Par Value, of E. I. du Pont de Nemours & Company, a security listed and registered on the New York Stock Exchange. Rule X-12F-1 provides that the applicant shall furnish a copy of the application to the issuer and to every exchange on which the security is listed or already admitted to unlisted trading privileges. The application is available for public inspection at the Commission's principal office in Washington, D. C.

Notice is hereby given that, upon request of any interested person received prior to January 18, 1950, the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL]

ORVAL L. DUBoIS,
Secretary.

[F. R. Doc. 49-10528; Filed, Dec. 29, 1949;
8:46 a. m.]

**SECURITIES AND EXCHANGE
COMMISSION**

[File No. 7-1141]

CONSUMERS POWER CO.

**NOTICE OF APPLICATION FOR UNLISTED TRADING PRIVILEGES, AND OF OPPORTUNITY
FOR HEARING**

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 23d day of December A. D. 1949.

The Los Angeles Stock Exchange, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 thereunder, has made application for unlisted trading privileges in the Common Stock, No Par Value, of Consumers Power Company, a security listed and registered on the New York Stock Exchange and on the Detroit Stock Exchange. Rule X-12F-1 provides that the applicant shall furnish a copy of the application to the issuer and to every exchange on which the security is listed or already admitted to unlisted trading privileges. The application is available for public inspection at the Commiss-

[File No. 7-1143]

SOUTHERN CO.

NOTICE OF APPLICATION FOR UNLISTED TRADING PRIVILEGES, AND OF OPPORTUNITY FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 23d day of December A. D. 1949.

The Los Angeles Stock Exchange, pursuant to Section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 thereunder, has made application for unlisted trading privileges in the Common Stock, \$5.00 Par Value, of The Southern Company, a security listed and registered on the New York Stock Exchange. Rule X-12F-1 provides that the applicant shall furnish a copy of the application to the issuer and to every exchange on which the security is listed or already admitted to unlisted trading privileges. The application is available for public inspection at the Commission's principal office in Washington, D. C.

Notice is hereby given that, upon request of any interested person received prior to January 13, 1950, the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL] ORVAL L. DUBoIS,
Secretary.[F. R. Doc. 49-10526; Filed, Dec. 29, 1949;
8:46 a. m.]

[File No. 7-1144]

OHIO EDISON CO.

NOTICE OF APPLICATION FOR UNLISTED TRADING PRIVILEGES, AND OF OPPORTUNITY FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 23d day of December A. D. 1949.

The Los Angeles Stock Exchange, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 thereunder, has made application for unlisted trading privileges in the Common Stock, \$8.00 Par Value, of Ohio Edison Company, a security listed and registered on the New York Stock Exchange and on the Cleveland Stock Exchange. Rule X-12F-1 provides that the applicant shall furnish a copy of the application to the issuer and to every exchange on which the security is listed or already admitted to unlisted trading privileges. The application is available for public inspection at the Commission's principal office in Washington, D. C.

sion's principal office in Washington, D. C.

Notice is hereby given that, upon request of any interested person received prior to January 12, 1950, the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL] ORVAL L. DUBoIS,
Secretary.[F. R. Doc. 49-10529; Filed, Dec. 29, 1949;
8:46 a. m.]

[File No. 7-1145]

VIRGINIA ELECTRIC & POWER CO.

NOTICE OF APPLICATION FOR UNLISTED TRADING PRIVILEGES, AND OF OPPORTUNITY FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 23d day of December A. D. 1949.

The Philadelphia-Baltimore Stock Exchange pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 thereunder, has made application for unlisted trading privileges in the Common Stock, \$10 Par Value, of Virginia Electric & Power Company, a security listed and registered on the New York Stock Exchange. Rule X-12F-1 provides that the applicant shall furnish a copy of the application to the issuer and to every exchange on which the security is listed or already admitted to unlisted trading privileges. The application is available for public inspection at the Commission's principal office in Washington, D. C.

Notice is hereby given that, upon request of any interested person received prior to January 16, 1950, the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL] ORVAL L. DUBoIS,
Secretary.[F. R. Doc. 49-10525; Filed, Dec. 29, 1949;
8:45 a. m.]

[File Nos. 54-165, 54-177, 59-91]

PENNSYLVANIA GAS & ELECTRIC CORP. ET AL.
ORDER DIRECTING LIQUIDATION AND DISSOLUTION AND GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 22d day of December 1949.

In the matter of Pennsylvania Gas & Electric Corporation and its subsidiary companies (Respondents), File No. 59-91; Allegany Gas Company, Crystal City Gas Company, Saugerties Gas Light Company, Addison Gas and Power Company, North Penn Gas Company, Pennsylvania Gas & Electric Corporation, Penn-Western Service Corporation (Applicants), File No. 54-165; Pennsylvania Gas & Electric Corporation (Applicant), File No. 54-177.

Pennsylvania Gas & Electric Corporation ("Penn Corp"), a registered holding company, and six of its subsidiary companies, Crystal City Gas Company ("Crystal City"), Addison Gas and Power Company ("Addison"), Saugerties Gas Light Company ("Saugerties"), North Penn Gas Company, Allegany Gas Company ("Allegany"), and Penn-Western Service Corporation ("Penn-Western"), having filed an application and declaration, and amendments thereto, pursuant to sections 6, 7, 9, 10, and 12 of the Public Utility Holding Company Act of 1933 and the Rules and Regulations thereunder with respect to:

1. The merger of Crystal City and Addison and, in connection therewith, the exchange by Saugerties of 119 shares of \$100 par common stock of Addison for 119 shares of additional \$100 par common stock of Crystal City.

2. The dissolution of Saugerties and, in connection therewith, the acquisition by Penn Corp of the assets of Saugerties (including 119 shares of Crystal City common stock and eight shares of the capital stock of Penn-Western) and the assumption by Penn Corp of the liabilities of Saugerties.

3. The issuance by Crystal City to Penn Corp of 382 shares of additional common stock in exchange for the outstanding 382½ shares of Crystal City preferred stock.

4. The donation by Penn Corp of 1,266 shares of Crystal City's common stock to Allegany.

5. The sale by Allegany and the acquisition by Crystal City of all of Allegany's gas transmission and distribution properties located in the State of New York in consideration of the issuance and delivery by Crystal City to Allegany of 1,373 shares of Crystal City's common stock, subject to cash adjustments to the date of closing.

6. The sale by Penn Corp to Penn-Western of eight shares of Penn-Western's capital stock in consideration of \$10 per share, and the retirement of such shares by Penn-Western.

The proceedings relating to such application and declaration having been consolidated for the purpose of hearing with proceedings subsequently instituted by the Commission under sections 11 (b)

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(1), 11 (b) (2), 15 (f) and 20 (a) of the act with respect to Penn Corp and its subsidiaries;

Public hearings having been held in the consolidated proceedings and the Commission having on September 3, 1948, issued its findings, opinion and order under section 11 (b) (1) and 11 (b) (2), reserving for future determination certain issues, including the issues with respect to the application and declaration referred to hereinabove;

Penn Corp having subsequently filed a plan pursuant to section 11 (e) of the act for its liquidation and dissolution; and the proceedings on that plan having been consolidated for the purpose of hearing with the prior consolidated proceedings;

Penn Corp having requested that the Commission enter an order finding that the transactions proposed in the application and declaration are necessary or appropriate to effectuate the provisions of section 11 (b) of the act and having requested that the Commission's order granting the application, as amended, and permitting the declaration, as amended, to become effective, shall contain recitals conforming to the requirements of the Internal Revenue Code, including section 1808 (f) and Supplement R thereof;

Further public hearings having been held in the consolidated proceedings after appropriate notice and the Commission having issued its findings and opinion herein;

It is ordered, Pursuant to section 11 (b) (2) of the act, that Penn Corp take appropriate steps, in an appropriate manner not in contravention of the act, or the rules, regulations or orders of the Commission thereunder, to liquidate and dissolve.

It is further ordered, That the aforesaid application and declaration, as amended, be, and the same hereby is, granted and permitted to become effective, subject to the terms and conditions prescribed in Rule U-24 and the reservation of jurisdiction over all fees and expenses of Penn Corp and its subsidiaries which have been or may be incurred in connection with the proposed transactions and to the further condition that jurisdiction be, and it hereby is reserved to (a) decide all questions relating to the retainability of interests in New Penn Development Corporation and Penn-Western under common control with other assets of the present Penn Corp holding company system; (b) decide all questions relating to the section 11 (e) plan filed by Penn Corp for its liquidation and dissolution; and (c) enter such other and further orders and to take such further action as the Commission may deem necessary or appropriate to secure compliance by Penn Corp and its subsidiaries with the provisions of the act, of this order and the Commission's order dated September 3, 1948, and of the rules, regulations and orders under the act.

It is further ordered and recited, That the issuances, transfers, deliveries, distributions and exchanges of securities specified and itemized below, the grants, transfers, the making and delivery of

conveyances, assignments and the payments of cash and other property specified below, and the other transactions specified and itemized below, which are all hereby approved, are necessary or appropriate to effectuate the provisions of section 11 (b) of the act, all in accordance with the meaning and requirements of the Internal Revenue Code, as amended, including Supplement R and section 1808 (f) thereof:

1. The merger of Addison with and into Crystal City (the surviving corporation) in accordance with applicable law, and the transfer and conveyance to Crystal City of all of the assets of Addison, and the assumption by Crystal City of all the debts of Addison, and the issuance by Crystal City of 119 shares of common stock of the par value of \$100 per share in exchange for the presently outstanding 119 shares of common stock of Addison of the par value of \$100 per share held by Saugerties and the surrender of such shares of Addison for cancellation. All the assets of Addison to be so transferred and conveyed to Crystal City include, among other things, real and personal property all located or situated in the State of New York.

2. The issuance by Crystal City of 382 shares of common stock of the par value of \$100 per share in exchange for the presently outstanding 382½ shares of 7% cumulative preferred stock of Crystal City held by Penn Corp and the surrender of such shares of 7% cumulative preferred stock for cancellation.

3. The transfer and conveyance to Crystal City by Allegany of real and personal property located or situated in the Counties of Steuben and Chemung in the State of New York, which property includes, among other things, the transmission and distribution lines located in the aforementioned counties, and all other property, real and personal, wheresoever located or situated, to be transferred, conveyed, assigned and paid in connection with the transfer and conveyance of said transmission and distribution lines, and the issuance by Crystal City to Allegany of 1373 shares of common stock of the par value of \$100 per share in exchange for the property transferred.

4. The liquidation and dissolution of Saugerties and the transfer of all of its assets to, and the assumption of its liabilities by, Penn Corp in complete cancellation of all of the capital stock of Saugerties. The assets of Saugerties to be so transferred include, among other things, eight shares of capital stock of Penn-Western and 119 shares of common stock of Crystal City of the par value of \$100 per share.

5. The sale and transfer by Penn Corp to Penn-Western of eight shares of Penn-Western's capital stock in consideration of \$10 per share and the purchase of such stock for retirement by Penn-Western at such price.

6. The transfer by Penn Corp as a donation to Allegany of 1,266 shares of common stock of Crystal City of the par value of \$100 per share and the receipt of such common stock by Allegany.

7. All other issuances, transfers, deliveries, distributions, payments, exchanges

and transactions which are required in order to carry out the application and declaration, as amended.

It is further ordered, That this order shall be effective immediately upon issuance.

By the Commission.

[SEAL] ORVAL L. DUBoIS,
Secretary.

[F. R. Doc. 49-10531; Filed, Dec. 29, 1949;
8:47 a. m.]

[File Nos. 54-170, 54-172]

NIAGARA HUDSON POWER CORP. AND UNITED CORP.

NOTICE OF FILING OF REQUEST FOR
SUPPLEMENTAL ORDER

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 22d day of December 1949.

Notice is hereby given that The United Corporation ("United"), a registered holding company, has filed an application requesting that the Commission enter a supplemental order in this proceeding, pursuant to sections 10 and 12 (d) of the Public Utility Holding Company Act of 1935.

Notice is further given that any person may, not later than January 5, 1950, at 5:30 p. m. e. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law raised by said application proposed to be controverted or may request that he be notified if the Commission should order a hearing thereon. At any time after January 5, 1950, the Commission may take such action as may be deemed appropriate with respect to United's application.

All interested persons are referred to said application which is on file in the offices of the Commission for a statement of the transactions therein proposed, which are summarized as follows:

By orders dated August 25, 1949, and November 4, 1949, this Commission and the United States District Court for the Northern District of New York, respectively, approved the Consolidation and Dissolution Plans of Niagara Hudson Power Corporation ("Niagara Hudson"). The Commission's order approving the plans did not expressly authorize United to make the exchange transactions provided for in the said Plans. United, therefore, has requested that the Commission enter a supplemental order in this proceeding authorizing it to exchange approximately 1,375,448 shares of the common stock of Niagara Hudson and such amounts of cash as may be required under the Plans for approximately 1,072,849.4 shares of common stock of Niagara Mohawk Power Corporation ("Niagara Mohawk"), and 48,529 shares of Niagara Hudson 5% Cumulative Second Preferred Stock Series A for 189-263.1 shares of Niagara Mohawk Class A stock. United wishes to make the proposed exchanges as soon as practicable after January 5, 1950, the effective date of the Niagara Hudson Plans.

A request for approval by the Commission of the above proposed transactions was set forth in an application filed by United on November 17, 1949, for approval of a plan pursuant to section 11 (e) (In the Matter of the United Corporation, File No. 54-184). The initial hearing in that proceeding has been scheduled for January 24, 1950. If the Commission enters the supplemental order herein requested, United states that it will, at that time, file an amendment to the application pending in File No. 54-184 so as to eliminate the request for approval of the exchange transactions under the Niagara Hudson Plans.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 49-10530; Filed, Dec. 29, 1949;
8:47 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 14151]

NICOLAI BIRKENBERG

In re: Bank account owned by Nicolai Birkenberg, also known as Nikolai Birkenberg and as Anton Nikolai Birkenberg. F-28-27540-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Nicolai Birkenberg, also known as Nikolai Birkenberg and as Anton Nikolai Birkenberg, whose last known address is 16 Kaltenthaler Strasse, Stuttgart-Vaihingen, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing Nicolai Birkenberg, also known as Nikolai Birkenberg and as Anton Nikolai Birkenberg, by The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, arising out of a checking account, entitled "Mr. Nicolai Birkenberg", maintained with the aforesaid bank, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on December 9, 1949.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 49-10561; Filed, Dec. 29, 1949;
8:48 a. m.]

[Vesting Order 14179]

FRIEDRICH AND GRETE CORDES

In re: Bank account owned by Friedrich Cordes and Grete Cordes. F-28-30595-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Friedrich Cordes and Grete Cordes, each of whose last known address is Langestrasse 130, Horneburg, Nieder Elbe, Hannover, Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Friedrich Cordes and Grete Cordes, by Hoboken Bank For Savings, Washington and First Streets, Hoboken, New Jersey, arising out of a savings account number 162560, entitled Friedrich Cordes or Grete Cordes, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used,

administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on December 16, 1949.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 49-10562; Filed, Dec. 29, 1949;
8:49 a. m.]

[Vesting Order 14188]

MITSUBISHI MARINE & FIRE INSURANCE CO., LTD. AND OSAKA MARINE & FIRE INSURANCE CO., LTD.

In re: Debt owing to Mitsubishi Marine & Fire Insurance Co., Ltd., and Osaka Marine & Fire Insurance Co., Ltd. F-39-2038-C-2, F-39-2746-C-2.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Mitsubishi Marine & Fire Insurance Co., Ltd., the last known address of which is Marunouchi, Tokio, Japan, is a corporation, partnership, association or other business organization organized under the laws of Japan, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Japan and is a national of a designated enemy country (Japan);

2. That Osaka Marine & Fire Insurance Co., Ltd., the last known address of which is Dojime, Osaka, Japan, is a corporation, partnership, association or other business organization organized under the laws of Japan, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Japan and is a national of a designated enemy country (Japan);

3. That the property described as follows:

a. That certain debt or other obligation owing to Mitsubishi Marine & Fire Insurance Co., Ltd., by Albert Willcox & Co., Inc., 99 John Street, New York 7, New York, in the amount of \$620.49 as of August 12, 1948, representing a credit balance reflected on the books of the aforesaid Company in the name of Mitsubishi Marine & Fire Insurance Co., Ltd., together with any and all accruals to the aforesaid debt or other obligation and any and all rights to demand, enforce and collect the same, and

b. That certain debt or other obligation owing to Osaka Marine & Fire Insurance Co., Ltd., by Albert Willcox & Co., Inc., 99 John Street, New York 7, New York, in the amount of \$173.39 as of August 12, 1948, representing a credit balance reflected on the books of the aforesaid Company in the name of Osaka Marine & Fire Insurance Co., Ltd., together with any and all accruals to the aforesaid debt or other obligation and

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any and all rights to demand, enforce and collect the same.

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Japan);

and it is hereby determined:

4. That to the extent that the persons named in subparagraphs 1 and 2 hereof are not within a designated enemy country the national interest of the United

States requires that such persons be treated as nationals of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on December 16, 1949.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 49-10563; Filed, Dec. 29, 1949;
8:49 a. m.]